



TUESDAY, APRIL 25, 2023
CITY OF COLLEGE PARK

Hybrid Meeting

In Person: 2nd Floor Council Chambers, City Hall, 7401 Baltimore Avenue
Or Via Zoom: Link to join Webinar <https://zoom.us/j/92398574069>

7:30 P.M.
MAYOR AND COUNCIL MEETING
AGENDA

COLLEGE PARK MISSION

We provide excellent services, transparent and inclusive governance, and advocate for our residents to enhance the quality of life for our diverse community.

- 1. MEDITATION**
- 2. PLEDGE OF ALLEGIANCE** – Councilmember Adams
- 3. ROLL CALL**
- 4. ANNOUNCEMENTS/COMMENTS - MAYOR, COUNCIL, STUDENT LIAISON**
- 5. CITY MANAGER'S REPORT**
- 6. ACKNOWLEDGMENTS**
- 7. PROCLAMATIONS AND AWARDS:**
- 8. AMENDMENTS TO AND APPROVAL OF THE AGENDA**
- 9. PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS** - Speakers are asked to state their name and whether they are a College Park resident, and are given three minutes to address the Council. The speaker's name and comment will become part of the public record.

- 10. CONSENT AGENDA** – Items on the Consent Agenda are presented for approval through a single motion. A Councilmember may remove an item from the Consent Agenda for placement as an Action Item for separate comment and action. Individuals who wish to comment on a Consent Agenda item may do so during Agenda Item 9.

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| 23-G-66 | Approval of minutes from the March 21, 2023 and April 11, 2023 meeting. | Motion By: To: 2 nd : Yes: No: Abstain: |
| | | |

11. PUBLIC HEARINGS

12. ACTION ITEMS

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| 23-O-03 | <p>Introduction of FY '24 Budget Ordinance - An Ordinance Of The Mayor And Council Of The City Of College Park To Adopt The Fiscal Year 2024 General Fund, ARPA Allocation Fund, Capital Projects Fund And Debt Service Fund Budgets Of The City Of College Park - Gary Fields, Director of Finance</p> <p><i>The Public Hearing will be held on May 9, 7:30 p.m. in the Council Chambers of College Park City Hall</i></p> | Motion By: To: 2 nd : |
|---------|--|--|

13. PRESENTATIONS AND WORKSESSION DISCUSSIONS (Action On These Items Is Not Expected At This Meeting.)

- A.** 2023 Quarterly Financial Presentation - Gary Fields, Director of Finance
- B.** Discussion of having a different property tax rate for vacant and blighted properties – Kenneth A. Young, City Manager; Gary Fields, Director of Finance; Bob Ryan, Director of Public Services (20)
- C.** Discussion of quality-of-life issues (noise, unruly social gatherings, open containers, public intoxication and public urination) and of UMD student health and safety – Bob Ryan, Director of Public Services, Suellen Ferguson, City Attorney (30)
- D.** Third Quarter Strategic Plan update – Bill Gardiner, Assistant City Manager

14. REQUESTS FOR / STATUS OF FUTURE AGENDA ITEMS

15. COMMENTS FROM THE AUDIENCE - Speakers are asked to provide their name and if they are a College Park resident, and are given three minutes to address the Council. Comments will become part of the public record.

16. COMMENTS FROM THE MAYOR, COUNCIL, STUDENT LIAISON OR CITY MANAGER

17. ADJOURN

- This agenda is subject to change. For the most current information, please contact the City Clerk at 240-487-3501.
- Opportunities for Public Comment:
 - To comment about a topic that is on either the Consent Agenda, or is not on the agenda: Speakers are given three minutes to address the Council during agenda item 9, "Public Comment on Consent and Non-Agenda Items."
 - Public comment is taken during agenda item 15, "Comments from the Audience." Speakers are given three minutes to address the Council.
 - To comment on a Public Hearing: When the Mayor invites public comment, speakers are given three minutes to address the Council. Everyone will have the opportunity to be heard. The Council may take action on the item at the conclusion of the Public Hearing or may take action at a later time.
 - To comment on an Action Item (agenda item 12): The Mayor will invite public comment prior to Council deliberation. Speakers are given three minutes to address the Council on that agenda item.
 - If you are unable to participate in the meeting, you may submit written comment on any agenda item by 5:00 p.m. on the day of the meeting. The comment must include the specific topic to which it relates and the full name of the person submitting the comment and whether you are a resident of the City. Written comment should be submitted to cpmc@collegeparkmd.gov.
- You may park for free in the Downtown Parking Garage located at 7306 Yale Avenue to attend this meeting.
- In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office at 240-487-3501 and describe the assistance that is necessary.

23-G-66

Approval of Minutes

MINUTES
College Park City Council Meeting
Tuesday, March 21, 2023

7:00 p.m. – 9:44 p.m.

**This was a hybrid meeting: Online via Zoom;
In-person in the Council Chambers of City Hall.**

PRESENT: Mayor Pro Tem Mitchell; Councilmembers Kabir, Kennedy, Esters, Whitney, Adams, Rigg, and Mackie.

ABSENT: None.

ALSO PRESENT: Kenneth Young, City Manager; Bill Gardiner, Assistant City Manager; Yvette Allen, Assistant City Clerk; Bob Ryan, Director of Public Services; Ryna Quinones, Communications and Events Manager; Terry Schum, Director of Planning; Miriam Bader, Senior Planner; Kiaisha Barber, Director of Youth, Family and Senior Services

Mayor Pro Tem Mitchell presented the State of the City.

Announcements:

Councilmember Kabir announced Women's History Month

Councilmember Kennedy announced that Ramadan begins on the evening of Wednesday, March 22nd lasting 30 days and ending at sundown on Thursday, April 20.

Councilmember Esters gave a shout out to the UMD Women's Basketball team who will be going to the Sweet 16 tournament.

Councilmember Whitney recognized and stated her appreciation of Kiaisha Barber, Director of Youth, Family and Senior Services, for her work advocating for a family to stay safe and housed in the community.

Councilmember Mackie reminded everyone to register to vote.

City Manager's Report:

Mr. Young reported that we will hold a Special Election for the Mayor on May 6. All information is posted on our website. The deadline for candidacy is 4:00 pm on April 5. Early voting is Tuesday, May 2 at Davis Hall and Election Day is Saturday, May 6. You

can contact the City Clerk's office for an absentee/mail in ballot application or download an application from our website.

The Spring Egg Hunt will be held on Saturday, March 25, 2023 from 10:00 a.m. to Noon at Duvall Field. Please register to attend this event.

The Budget Worksession will be held in the Council Chambers on Saturday at 8:00 a.m.

The next City Council Meeting will be held on April 11, 2023 at 7:30 p.m.

PROCLAMATIONS AND AWARDS

Mayor Pro Tem Mitchell read a Proclamation celebrating the retirement of Terry Schum, Director of Planning and Community Development

Amendments To/Approval Of The Agenda:

A motion was made by Councilmember Rigg and seconded by Councilmember Adams to approve the Agenda. Motion passed 8-0-0.

Public Comment: None

CONSENT AGENDA: A motion was made by Councilmember Esters and seconded by Councilmember Whitney to adopt the Consent Agenda, which consisted of these items:

23-G-56 Approval of a FY23 MHAA Grant Agreement for the "Lakeland Community Heritage Augmented Reality Tour Phase II" and authorization for the City Manager to sign the grant documents – Terry Schum, Director of Planning

23-G-57 Approval of minutes from the February 28, 2023 meeting.

The motion passed 8-0.

Action Items

23-O-02 Introduction of Ordinance 23-O-02 to Amend Chapter 190, "Zoning," due to adoption of the new County Zoning Ordinance and new requirements for granting variances and departures– Suellen Ferguson, City Attorney

A motion was made by Councilmember Rigg and seconded by Councilmember Esters to introduce Ordinance 23-O-02. The Public Hearing will be held on April 11, 2023.

PRESENTATIONS AND WORKSESSION DISCUSSIONS

A. Presentation of proposed Aging in Place Home Repair Program and Agreement with Habitat for Humanity Metro Maryland

Terry Schum summarized the program. Sarah Reddinger, Vice President of Community Development and Chyna Diaz, Home Preservation Program of Habitat for Humanity gave a presentation.

Council had several questions of what items could be repaired and the eligibility process. Council requested the application be completed and submitted on-line. Staff will also assist residents on completing the form and educating the public on this program. Council requested that priority be given to households below the 80% AMI and qualified households in the Lakeland community. Top priority should be given to Lakeland residents, 50% AMI and then longevity residents (25 years or more). Council requested that they utilize resident volunteers. Habitat for Humanity will make the decision on what services need to be prioritized for health and safety reasons. The program is anticipated to begin July 1, the City Attorney will thoroughly review the agreement, staff will work with Habitat for Humanity in updating the program guidelines. This item will be brought back to agenda at a later date.

B. Presentation of City Survey Results – Ryna Quinones, Communications and Events Manager

Ryna Quinones, Communications and Events Manager presented the 2022 Community Survey Presentation.

Council requested that we publish the last survey on the website with current data so that residents can compare the results. Council would also like a breakdown of the survey for age group under 25 and the 25 – 35 age groups. In addition, Council would like to see some of the survey in the next Residential Guide.

C. Discussion and possible action on legislation – Bill Gardiner, Assistant City Manager

Letter of support for:

HB0459 - Public Utilities - Street Lighting Equipment - Acquisitions and Reporting (County and Municipal Street Lighting Investment Act) and Senate Bills

SB0114 - Property Tax - Real Property Tax Assessment and Tax Rate Increases - Notice Requirements
Property Tax - Real Property Tax Assessment and Tax Rate Increases - Notice Requirements

HB0190 - Housing and Community Development - Homeowner's Extreme Weather Mitigation and Preparation Grant Program – Letter sent.

REQUESTS FOR / STATUS OF FUTURE AGENDA ITEMS

Councilmember Whitney: Community Development Grants

COMMENTS FROM THE AUDIENCE

Richard Biffl, nonresident: Commented on the City's Tax Revenue

Carol Mackins, resident: Communications in the City needs to improve. Our website is not easy to find information.

COMMENTS FROM THE MAYOR, COUNCIL, STUDENT LIAISON OR CITY MANAGER

Councilmember Kabir: Spoke to Hollywood Elementary School regarding the If I Were Mayor MML Essay contest.

Councilmember Esters: COG Human Services Committee meeting

Councilmember Rigg: Consider how we staff the COG and other Committee meetings.

Councilmember Mackie: COG Environmental meeting

Mayor Pro Tem: County Executive Alsobrooks Press Conference, PGCMA meeting

ADJOURN

A motion was made by Councilmember Mackie and seconded by Councilmember Kennedy to adjourn the meeting at 9:44 p.m. **The motion passed 8-0 and meeting was adjourned at 9:44 p.m.**

Yvette Allen
Assistant City Clerk

MINUTES
College Park City Council Meeting
Tuesday, April 11, 2023
7:30 p.m. – 9:46 p.m.

This was a hybrid meeting: Online via Zoom.
In-person in the Council Chambers of City Hall.

PRESENT: Mayor Pro Tem Denise Mitchell; Councilmembers Kabir, Kennedy, Esters, Whitney, Adams, Rigg, and Mackie.

ABSENT: None.

ALSO PRESENT: Kenneth Young, City Manager; Bill Gardiner, Assistant City Manager; Janeen S. Miller, City Clerk; Suellen Ferguson, City Attorney; Miriam Bader, Director of Planning; Michael Williams, Economic Development Coordinator; Valerie Graham, Student Liaison and Adrian Andriessens, Deputy Student Liaison.

Mayor Pro Tem Mitchell opened the meeting at 7:30 p.m.

Announcements:

Councilmember Kabir announced the NCPCA monthly meeting, a community clean up, and the shredding event.

Councilmember Esters asked for civility during the upcoming election, and said the Lakeland Civic Association meeting is Thursday.

Councilmember Whitney announced another community clean up.

Councilmember Adams announced the Mayoral Debate in City Hall tomorrow hosted by the College Park Estates and Yarrow Civic Associations; he thanked Code Enforcement for efforts over the weekend.

Councilmember Rigg is excited about the upcoming Route 1 Rampage.

Councilmember Mackie announced a drug take back event and Maryland Day.

Student Liaison Valerie Graham announced that recruiting is underway for the next Student Liaison.

Mayor Pro Tem Mitchell also thanked Code Enforcement.

City Manager's Report: Mr. Young provided information about the Special Election and gave an update on state legislation that the City was supporting. He spoke about the "vehicle burnout" incident at the intersection of Edgewood Road and Rhode Island Avenue on April 7 and described police response.

Amendments To/Approval Of The Agenda:

The agenda was approved without amendment, Rigg/Whitney, 8-0.

Public Comment:

David Turcious, resident: Former co-chair of College Park Boys and Girls Club. Reported an incident at Duvall Field last night. They were there for a pick-up game on the small baseball field. There was also a lacrosse game that was permitted on the large field. The lacrosse team seemed unhappy that the pick-up game was going on, and became verbally abusive toward the children in the pick-up game. Asked the City of College Park to step in.

CONSENT AGENDA: A motion was made by Councilmember Esters and seconded by Councilmember Whitney to adopt the Consent Agenda, which consisted of these items:

- 23-R-04 Resolution Of The Mayor And Council Of The City Of College Park Adopting The Recommendation Of The Advisory Planning Commission For Application Number CEO-2023-01, 9400 49th Avenue, College Park, Maryland, Recommending Approval Of Variances From City Code §87-23.C, To Permit The Installation Of A 5-Foot-High Board-On-Board Fence Along The Side Yard Of A Street
- 23-G-58 To authorize the City to participate in the National (Opioid) Settlement Agreements with Walgreens, Walmart, Allergan and Teva, to authorize the City Manager to sign the Participation Form for the settlements, and to take any other action necessary to give effect to this authorization, and to

authorize the City to enter into the State-Subdivision Agreement with the State of Maryland in substantially the form attached, subject to review and approval by the City Attorney, and to authorize the City Manager to sign the State-Subdivision Agreement Approval Form. If any of the National Settlement Agreements fails to go forward, the State-Subdivision Agreement will be void and create no rights or duties between the State and the City with respect to that National Settlement Agreement. I further move to align with the State of Maryland with respect to the CVS proposed settlement and to wait until a State approved settlement is reached.

- 23-G-59 To authorize the Mayor Pro Tem to sign the attached letter of support for the University of Maryland's grant application to the Federal Transit Administration for the purchase of 35 electric buses and charging infrastructure.
- 23-G-60 Approval of Minutes from the March 2, 2023, March 7, 2023 and March 11, 2023 meetings.
- 23-G-61 Approval to bypass the formal bid process and award a Consultant Agreement to Hagerty Consulting Inc., in substantially the form attached, for Services to support the City's ongoing CLFRF administrative needs for a cost not to exceed \$75,000 from April 2023 through January 31, 2024, and authorize the City Manager to sign. (extra-majority vote required)

The motion passed 8-0.

1. PUBLIC HEARING AND POSSIBLE ADOPTION OF:

A. 23-CR-01, A Charter Resolution Of The Mayor And Council Of The City Of College Park, To Amend Article III, "Mayor And Council", §C3-5, "Election" And §C3-6, "Vacancies"; And Article IV, §C4-2, "Registration Of Voters", §C4-3, "Supervisors Of Elections", §C4-4, "Other Election Officials", And §C4-5 "Petitions For Candidacy; Employees"; To Change The Date That A Petition For Candidacy For A Mayor Or Council Vacancy Must Be Withdrawn To Two Days After Said Petitions Are Due, Provide That Voter Registration For City Elections Shall Close 15 Days Prior To An Election, Provide That Supervisors Of Elections Will Be Appointed Or Re-Appointed On Or Before June 30 Of A Non-Election Year With Two Year Terms To Begin On July 1 Of That Year, Remove The Requirement That

City Elections Be Conducted As Nearly As Practicable To Prince George's County Elections, And Change The Last Day Of Candidacy Withdrawal In A General Election To 49 Days Before The Election, And To Make Non-Substantive Corrections, Remove Unnecessary Provisions, And Clarify Other Provisions.

Ms. Miller reviewed the staff report to explain the Charter Amendment and the amendment to the "Whereas" clause regarding the date that voter registration closes for City elections. The Voter Eligibility date will be 15 days, and the Administrative Close date will be 28 days. Mayor Pro Tem Mitchell opened the Public Hearing. There was no one to testify on this matter. The Public Hearing was closed.

A motion was made by Councilmember Rigg and seconded by Councilmember Mackie to adopt the Charter Amendment. The motion passed 8-0.

B. 23-O-04, Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 34, "Elections", Article I, "General Provisions" §34-3, "Definitions"; Article II, §34-6, "Absentee Balloting"; And Article III, "Fair Election Practices", §34-11, "Appointment Of Treasurer By Candidates And Political Committees"; To Redefine Ballot And Electronic Signature And To Define Mail-In Ballot, Reflect Maryland Law With Respect To Mail-In Ballots And Absentee Ballots, Accept Certain Signatures Electronically, Set A Time By Which Applications For Mail-In Ballots Must Be Made, Make Provision That Qualified Voters Who Have Opted To Receive A Mail-In Ballot For Federal Or State Of Maryland Elections Will Automatically Receive A Mail-In Ballot For City Elections Without The Necessity Of Filing An Application And Clarify Who Can Be Appointed As A Treasurer For An Political Candidate.

Ms. Miller provided an overview of this Ordinance. She said that beginning in the General Election, any voter on the state's Permanent Vote By Mail list will automatically receive a ballot for City elections. Mayor Pro Tem Mitchell opened the Public Hearing. There was no one to testify on this matter. The Public Hearing was closed.

A motion was made by Councilmember Mackie and seconded by Councilmember Esters to adopt the Ordinance. The motion passed 8-0.

C. 23-O-02, Amended Ordinance of the Mayor and Council of the City of College Park amending Chapter 190 "Zoning", Article I "Revitalization Overlay District" by renaming the article and repealing and reenacting §190-3 "Powers and Duties of the City Advisory Planning Commission to conduct hearings", §190-4, Criteria for Granting Variances, §190-9 "Departures From Design Standards", and §190-17 "Appeal" to conform the Variance And Departure Provisions to County Law.

Ms. Ferguson said this Ordinance conforms the City Code to the new County Zoning Ordinance for Variances and Departures. Since it was introduced, an amendment to §190-5 has been added in. Mayor Pro Tem Mitchell opened the Public Hearing. There was no one to testify on this matter. The Public Hearing was closed.

A motion was made by Councilmember Esters and seconded by Councilmember Whitney to adopt the Ordinance. The motion passed 8-0.

Presentations And Worksession Discussions:

- A. Budget Worksession Follow-up: Additions to FY2024 Proposed Budget and special tax rate for commercial/apartment properties – Gary Fields, Director of Finance and Kenny Young, City Manager

Mr. Young said our property tax rate has not kept pace with the cost of providing services to our residents. It has nothing to do with the Revitalization Tax Credit; it is because of the decreases to the property tax rate that have been adopted. We have lowered our tax rate two years in a row, and this is not sustainable. Mr. Fields said the proposed budget was a balanced budget. Mr. Fields reprojected revenues to fine tune them, costed out some Council requests, added a 20% increase in inspection fees, and determined additional budget cuts from programs, totaling \$75K. This still leaves a budget deficit of \$342,000. We either need to reduce Council requests or find funding sources for them.

Councilmember Adams asked if alternative funding sources could be used to offset the contributions to Fire Departments, Meals on Wheels, the literacy Lab and tutoring program. He asked about increasing the tax rate on apartments, condos, industrial and commercial by 3 cents. He discussed possible allocations of any additional tax revenue that would result from such as increase.

Mr. Fields and Mr. Young responded. Two tax rates would require two Constant Yield certifications: one on residential, one on commercial and apartments. Consider the response of those impacted by the 3-cent increase. Mr. Fields asked Council to verify that they are not considering lowering the current 30.18% tax rate on residential because that would be a problem. Mr. Fields and Mr. Young explained that we need to be at 32 cents to fund all the additional programs we have added over the years. Mr. Young said we don't know what the assessments are until June.

General discussion about a Senior Tax Credit program, the County's parameters, and when Council will discuss the City's parameters.

Mr. Fields said we may need to scale back our CIP. We have been lucky to have funds to cover CIP requests from the General Fund surplus and lost revenue recovery, but that is not sustainable. Mr. Young added that we will do a compensation survey in the coming year and may need to be prepared to increase our salaries to retain the best and the brightest. Mr. Fields explained the timing of advertising the Constant Yield Public Hearing. He needs to know tonight if they are interested in one tax rate or two tax rates so he knows what kind of advertisement to place. The consensus was to pursue two rates.

Mr. Fields reviewed the expenditures of ARPA Funds and remaining funds. Discussion about Attick Towers funding, Stormwater mitigation, Business Assistance programs, Family Assistance programs, and Food Service organizations.

B. Legislation – Bill Gardiner, Assistant City Manager

Mr. Gardiner reviewed the final bill summary from the lobbyists and informed Council about the bills the City supported. The lobbyists will brief the Council on the session in late May.

Future Agenda Items:

Esters/Whitney: Request to add to a future agenda - Parking and speeding issues near the VFW on Branchville Road, passed 8-0.

Adjourn:

A motion was made by Councilmember Whitney and seconded by Councilmember Esters to adjourn the meeting and reconvene into a Closed Session. Mayor Pro Tem Mitchell read the Closing Statement:

Pursuant to the statutory authority of the Maryland Annotated Code, General Provisions Article, § 3-305(b), the Mayor Pro Tem and City Council of the City of College Park are providing notice that they will meet in a Closed Session after the Council meeting on April 11, 2023 for the following purposes:

1. To Consult with Counsel to obtain legal advice; 2. To discuss pending or potential litigation. They will not return to open session after the closed session ends.

The motion passed 8-0 and the regular meeting adjourned at 9:46 p.m.

Closed Session
April 11, 2023

At 9:46 p.m. on April 11, 2023, at the conclusion of the Council meeting, a motion was made by Councilmember Esters and seconded by Councilmember Whitney to adjourn into a Closed Session. Mayor Pro Tem Mitchell read the Closing Statement:

Pursuant to the statutory authority of the Maryland Annotated Code, General Provisions Article, § 3-305(b), the Mayor Pro Tem and City Council of the City of College Park are providing notice that they will meet in a Closed Session after the Council meeting on April 11, 2023 for the following purposes:

1. To Consult with Counsel to obtain legal advice; 2. To discuss pending or potential litigation. They will not return to open session after the closed session ends.

The motion passed 8-0 and after a recess, the Closed Session began at 9:58 p.m.

Mayor Pro Tem Mitchell and Councilmembers Kabir, Kennedy, Esters, Whitney, Adams, Rigg, and Mackie were present. In addition, the meeting was attended by City Manager Kenneth A. Young, Assistant City Manager Bill Gardiner, City Clerk Janeen S Miller, and

City Attorney Suellen Ferguson. Everyone was in person in the Council Chambers. Mayor Pro Tem Mitchell was the Open Meetings Trainee.


The City Attorney briefed the Mayor and Council about a lawsuit filed against the City and advised about the merits of the complaint, various legal strategies and the implications of those strategies. The City Attorney will respond to the attorney for the plaintiff on behalf of the City. No action was taken.

At 10:15 p.m., on a motion by Councilmember Mackie that was seconded by Councilmember Whitney, the Closed Session was adjourned.

23-O-03

Introduction of FY '24 Budget Ordinance

Public Hearing will be held on May 9, 7:30 p.m.

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|  | <p style="text-align: center;">CITY OF COLLEGE PARK, MARYLAND REGULAR MEETING AGENDA ITEM</p> <p style="text-align: right;">AGENDA ITEM: <u>23-O-3</u></p> <p>Prepared By: Gary Fields Finance Director</p> <p>Presented By: Gary Fields Finance Director</p> <p>Meeting Date: 4/25/2023</p> <p>Proposed Consent: N/A</p> |
| Originating Department: Finance | |
| Action Requested: Introduction of Ordinance 23-O-3 for the FY2024 Operating Budgets for the City of College Park | |
| Strategic Plan Objective: OKR 1 – Innovate and improve City services to enhance quality, value, and accessibility for all our residents. | |
| <p>Background/Justification:</p> <p>Budget Ordinance 23-O-3 is attached for introduction at the City Council meeting on April 25, 2023. It incorporates the FY2024 Proposed Budgets for the City’s General Fund, ARPA Allocation Fund, Capital Projects Fund and Debt Service Fund, including changes approved at the budget worksession on March 25, 2023, and additional Council requested expenditures and related changes discussed at the April 11, 2023, Council meeting.</p> <p>Attachment 2 is the revised FY2024 Proposed General Fund Budget originally published March 10, 2023, presented at the budget worksession and summary of changes. Attachment 3 reflects the revisions to the Proposed ARPA Allocation Fund budget; and Attachment 3 is the revised Capital Projects Fund/CIP.</p> <p>The required public hearing on the proposed budget and Constant Yield Tax Rate (CYTR) for noncommercial (residential) property is scheduled for May 9, 2023. The State required advertisement for the noncommercial CYTR public hearing will be published in the Washington Post on April 27, 2023, in advance of the public hearing.</p> <p>The City plans to adopt the current tax rate of 30.18 cents for residential property and 33.18 cents for commercial property, including apartments and industrial. The City is exempt from a required public hearing on commercial property. Copies of the CYTR Certifications from SDAT are included as attachments.</p> <p>The City Charter (Sec. C10-3.D) requires that the budget be adopted by May 31 of the fiscal year currently ending. The budget is scheduled to be adopted at the May 23, 2023 City Council meeting.</p> | |
| <p>Fiscal Impact:</p> <p>The proposed budget provides authorization for FY2024 municipal operations.</p> | |
| <p>Council Options:</p> <ol style="list-style-type: none"> 1. Introduce Budget Ordinance 23-O-3 as attached. 2. Make amendments to the FY2024 proposed budget and then introduce the Ordinance as amended | |
| <p>Staff Recommendation:</p> <p>Option #1</p> | |

Recommended Motion:

I move to introduce Ordinance 23-O-3, an Ordinance of the Mayor and Council of the City of College Park, Maryland to adopt the Fiscal Year 2024 General Fund, ARPA Allocation Fund, Debt Service Fund, and Capital Projects Fund budgets for the City of College Park.

Attachments:

1. Ordinance 23-O-3 for the FY2024 Proposed Budgets.
2. Revised Proposed General Fund Budget and summary of changes to the original General Fund Budget as published March 10, 2023 and presented at the budget worksession March 25, 2023.
3. Revised proposed budget for the ARPA Allocation Fund and summary of changes as discussed at the April 11, 2023 Council Meeting.
4. Revised Capital Projects Fund/CIP budgets as a result of related changes.
5. 2023 CYTR Certification – Noncommercial Real Property
6. 2023 CYTR Certification – Commercial Real Property

AMENDED ORDINANCE 23-O-03

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF
COLLEGE PARK TO ADOPT THE FISCAL YEAR 2024
GENERAL FUND, ARPA ALLOCATION FUND, CAPITAL PROJECTS FUND AND
DEBT SERVICE FUND BUDGETS OF THE CITY OF COLLEGE PARK**

BE IT ORDAINED, by the Mayor and Council of the City of College Park, Maryland, that the following sums and amounts are hereby appropriated for the fiscal year beginning July 1, 2023 and ending June 30, 2024, the said revenues being used to defray expenses and operations of the City of College Park in accordance with the following schedule:

General Fund

Revenues

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| General Property Taxes | \$ 12,001,500 |
| Other Taxes | 5,493,862 |
| Licenses & Permits | 1,370,250 |
| Intergovernmental | 445,545 |
| Charges for Services | 712,578 |
| Fines & Fees | 3,722,800 |
| Miscellaneous Revenues | 440,478 |
| Reimbursement from lost revenue recovery funds | 49,686 |
| Appropriated Fund Balance-FY2023 surplus | <u>559,706</u> |

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| <i>Total Revenue</i> | <u><u>\$ 24,796,405</u></u> |
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Expenditures, Contingency & Operating Transfers

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| General Government and Administration | \$ 7,472,179 |
| Public Services | 5,876,506 |
| Planning, Community Development | 837,043 |
| Youth, Family & Senior Services | 1,645,704 |
| Public Works | 7,358,714 |
| Contingency – General | 145,000 |
| Contingency – Emergency financial assistance | 49,686 |
| Contingency – salary reductions from hiring timing | (175,000) |
| Operating transfer to Capital Projects Fund | 358,411 |
| Operating transfer to Debt Service Fund | <u>1,228,162</u> |

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| <i>Total Expenditures, Contingency & Operating Transfer</i> | <u><u>\$ 24,796,405</u></u> |
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ARPA Allocation Fund

Revenue

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|-----------------------|---------------------|
| Carryover from FY2023 | <u>\$ 2,965,626</u> |
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Expenditures

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|--|---------------|
| Grants and Assistance | \$ 1,465,000 |
| PPE, prevention & other related public health exp. | 25,000 |
| Program administration | 50,000 |
| Lakeland Revitalization Plan | 100,000 |
| Attick Towers renovations/repairs (additional) | 250,626 |
| Stormwater Mitigation (additional) | 1,000,000 |
| Contingency – Schools Literacy & Tutoring Programs | <u>75,000</u> |

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| <i>Total Expenditures</i> | <u>\$ 2,965,626</u> |
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Capital Projects Fund

Revenues

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|--|-------------------|
| Funding sources other than General Fund | \$ 2,483,889 |
| Interfund operating transfer from General Fund | 358,411 |
| Lost revenue recovery reallocation | 52,000 |
| Reserves (Fund Balance) | <u>15,594,038</u> |

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| <i>Total Revenues</i> | <u>\$ 18,488,338</u> |
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Expenditures

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| Capital Outlay – Total Expenditures | <u>\$ 11,891,256</u> |
|-------------------------------------|----------------------|

Debt Service Fund

Revenues

| | |
|--|---------------|
| Parking Meters and Fines | \$ 170,000 |
| Interfund operating transfer from General Fund | 1,228,162 |
| Appropriated Fund Balance | <u>76,415</u> |

| | |
|-----------------------|---------------------|
| <i>Total Revenues</i> | <u>\$ 1,474,577</u> |
|-----------------------|---------------------|

Expenditures

| | |
|--|--------------|
| Debt Service: | |
| Principal (Parking Garage Bond) | \$ 449,000 |
| Interest (Parking Garage Bond) | 119,877 |
| Principal (2019 Public Improvement Bond) | 410,000 |
| Interest (2019 Public Improvement Bond) | 493,950 |
| Fees | <u>1,750</u> |

| | |
|---------------------------|---------------------|
| <i>Total Expenditures</i> | <u>\$ 1,474,577</u> |
|---------------------------|---------------------|

BE IT FURTHER ORDAINED that:

1. The tax levy be, and the same is hereby set at thirty and 18/100 cents (\$0.3018) per one hundred dollars (\$100.00) of full value assessment on all noncommercial taxable real property located within the corporate limits of the City of College Park;
2. The tax levy be, and the same is hereby set at thirty-three and 18/100 cents (\$0.3318) per one hundred dollars (\$100.00) of full value assessment on all commercial (including industrial and apartment) taxable real property located within the corporate limits of the City of College Park;
3. The tax levy be, and the same is hereby set at eighty-three and 8/10 cents (\$0.838) per one hundred dollars (\$100.00) of full value assessment on all taxable personal property located within the corporate limits of the City of College Park;
4. The net speed enforcement camera revenues, after recovery of the costs of implementing and administering the program, are allocated solely for public safety purposes, including pedestrian safety programs;
5. The above listing of revenues and expenditures represents a summary of the detailed material contained in a document entitled “City of College Park Proposed Operating Budget and CIP for Fiscal Year 2024”, with amendments; said document and any amendments thereto are incorporated herein by this reference;
6. By adoption of this Ordinance, the FY2024 Pavement Management Plan and the FY2024 Pay Plan (including Job Class Table and Pay Table) contained in the FY2024 proposed operating budget with amendments, if any, are hereby adopted by this reference;
7. By adoption of this Ordinance, the City includes its employees in the Reformed Contributory Pension Plan of the Maryland State Retirement and Pension System (MSRP) and authorizes payment of retirement benefits into the said pension system, on the terms and conditions set forth in State law;
8. The Unrestricted Capital Projects Fund and Restricted Capital Projects Fund reserve accounts shall be re-appropriated as required to fund the projects included in the Capital Improvement Plan as adopted by this Ordinance;
9. The Capital Projects Fund Budget for Fiscal Year 2024 in the amount of \$11,891,256, as listed and described in the Capital Projects Fund section, and the Five-Year Capital Improvement Plan (CIP) for Fiscal Year 2024-2028, of the “Proposed Operating Budget and CIP for Fiscal Year 2024” with any amendments, are hereby adopted;
10. The Debt Service Fund is hereby budgeted for fiscal year 2024 at \$1,474,577. The revenues retained in the Debt Service Fund will be used to offset debt service costs on the Parking Garage Bond and the 2019 GO Bond. The required debt service on the parking garage bond for FY2024 totaling \$568,877 be paid partially from the accumulated reserves of the Fund and the remainder from a transfer from the General

Fund. The required debt service for the 2019 Public Improvement Bonds (for new City Hall and Duvall Field renovations) totaling \$903,950 shall be paid from a transfer from the General Fund;

10. Personal property tax accounts delinquent for a period of ninety (90) days shall be assessed a \$100 late payment penalty;
11. Should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections; and
12. This Ordinance shall become effective on July 1, 2023.

BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed budget ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing is hereby set for 7:30 P.M. on the 9th day of May, 2023. This public hearing follows the publication by at least seven (7) days. Notice was given to the public that the “City Manager’s Proposed Operating Budget and CIP for Fiscal Year 2024” was available for inspection by the public at least two (2) weeks before the public hearing, which will be held in connection with a regular Council meeting. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it, without the need for further advertising or public hearings.

This Ordinance shall become effective on July 1, 2023 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable

channel, and in any City newsletter. If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

Introduced on the 25th day of April, 2023

Adopted on the _____ day of May, 2023

Effective on the 1st day of July, 2023

Denise C. Mitchell, Mayor Pro Tem

ATTEST:

Janeen S. Miller, CMC, City Clerk

APPROVED AS TO FORM:

Suellen M. Ferguson, City Attorney

Proposed Budget (Balanced)

\$0

Expenditures not available for Proposed Budget:

CPCUP additional funding requested

(60,000) 1010 - M&C

CCTV camera maintenance contract

(32,000) 2010 - DPS Admin

Green font = adds revenue or reduces expense

Red font = reduces revenue or adds expense

Re-projection of FY24 Revenue (April 11, 2023):

For FY23 - increases surplus that is funding the FY24 budget:

Income tax

50,000 FY23 Revenue

A&A tax

25,000 FY23 Revenue

For FY24:

Hotel/Motel Tax

50,000 FY24 Revenue

Proposed increase Code Enforcement Inspection Fees 20%

175,000 FY24 Revenue

City Manager expense reductions:

-Economic Development - Bus.Assist & Façade Improve. Grants

- Add back per 4/11/23 mtg

-Economic Development - Business Retention Assistance

- Add back per 4/11/23 mtg

-Speed Enforcement - Processing charges

25,000 2025 - Speed Camera Program

Prioritized Council requests:

A. Additional 0.5 FTE for Contract Police

\$ (75,000)

2030 - Contract Police

1.c. Amenities for Gateway Park - spring tour to showcase native plants.

(4,000)

CIP - Dept. Capital

7. Interactive Online College Park's History Internship Project

(10,000)

1010 - M&C

8. Grant writing Consultant – Preserving Black Churches - (Lakeland)

(15,000)

1010 - M&C

11. Mural to beautify the entrance to Lake Artemesia from Lakeland

(30,000)

CIP - Dept. Capital

22. Senior Tax Credit - amount contingent on parameters set for the credit

(150,000)

Property Tax Revenue - Contra a/c

28. Library Box Exchange at the top of the Community Center in CPW

(1,000)

5028 - DPW - Building Maint.

39. Old Town Traffic Calming Plan

(45,000)

CIP - C&G Streets

40. Senior and Social Sports League Plan/Pilot

(30,000)

4012 - YFS Seniors Program

62. Grant program for owners to widen driveways on Metzert Rd.

(50,000)

CIP - C&G Streets

73. Purchase 9315 Davidson for an Urban Forest. (Program Open Space)

(100,000)

CIP - Property Acquisition

Program Open Space Funding Purchase of 9315 Davidson

100,000

CIP - Property Acquisition - Funding Source

Q2 Replace chain-link fencing at Calvert Rd School

(85,000)

CIP - Facilities Cap Reserve

Lost Revenue Recovery (reallocated from City Hall Plaza pole removal)

52,000 (a)

CIP - Facilities Cap Reserve - Funding Source

9. More streetlights in Lakeland (Lakeland Rd-Rhd. Island & Balt. Ave.

(5,000)

CIP - C&G Streets

Income Tax Offset Credit (ITOC)

(50,000)

Property Tax Revenue - Contra a/c

Edmonston Rd sidewalk lights - replace existing fixt. with 100-watt LEDs

(75,000)

CIP - C&G Streets

Emergency Financial Assistance for families and individuals

(49,686)

Contingency - designated for emergency assistance

Lost Revenue Recovery (reallocated from City Hall Plaza pole removal)

49,686 (a)

Lost Revenue Recovery -revenue/funding source

(a) \$ 101,686 Lost revenue recovery remaining from two utility pole removals in City Hall Plaza

\$ (242,000) - Total added to General Fund transfer to CIP

Total Council Requests (net of funding other than Gen Fund)

(573,000)

Add'l 3 cent tax rate on Commercial, Industrial and Apartments

515,000 Property Tax Revenue

1010 - M&C Exp. moved to ARPA:

Fire Grants

75,000

Delete from 1010 - M&C Grants (moved to ARPA)

Meals on Wheels Grant

15,000

Delete from 1010 - M&C Grants (moved to ARPA)

Public School Education grants - Literacy Program

45,000

Delete from 1010 - M&C Grants (moved to ARPA)

Public School Education grants - Tutoring Program

30,000

Delete from 1010 - M&C Grants (moved to ARPA)

Total additional General Fund expenditure reduction

165,000

Student Housing Rental Subsidy Program

(340,000) 1010 - M&C

Net effect of revisions to proposed General Fund budget

\$0

GENERAL FUND - SUMMARY (Revised)
Includes Changes shown on Attachment 2 p. 1

Attachment 2 p. 2

| | FY 2021 | FY 2022 | FY 2023 | | FY 2024 | Change in Budget | |
|--|----------------------|----------------------|----------------------|-----------------------|----------------------|--------------------|---------------|
| | ACTUAL | ACTUAL | ADJUSTED BUDGET | Estimated FY Total | PROPOSED BUDGET | FY 23 to FY 24 | |
| | | | | | | \$ | % |
| Revenue and Transfers In | | | | | | | |
| General Property Taxes | \$ 10,628,834 | \$ 11,213,696 | \$ 11,237,610 | \$ 11,247,816 | \$ 12,001,500 | \$ 763,890 | 6.8% |
| Other Taxes | 3,546,040 | 4,541,435 | 4,364,060 | 5,259,302 | 5,493,862 | 1,129,802 | 25.9% |
| Licenses & Permits | 998,061 | 1,173,636 | 1,244,000 | 1,179,142 | 1,370,250 | 126,250 | 10.1% |
| Intergovernmental Revenue | 2,190,189 | 9,540,452 | 273,772 | 400,323 | 445,545 | 171,773 | 62.7% |
| Charges For Services | 529,924 | 628,761 | 697,328 | 702,170 | 712,578 | 15,250 | 2.2% |
| Fines & Fees | 3,721,260 | 3,293,036 | 3,811,250 | 3,538,460 | 3,722,800 | (88,450) | -2.3% |
| Miscellaneous Revenue | 138,605 | 285,665 | 301,715 | 406,626 | 440,478 | 138,763 | 46.0% |
| Funding from FY 2023 projected surplus | - | - | - | - | 559,706 | 559,706 | 0.0% |
| Approp.F/B - lost rev. recovery to CIP | - | - | 7,295,600 | 7,555,600 | 49,686 | (7,245,914) | -99.3% |
| Appropriation from Lost Revenue Recovery | - | - | 1,235,000 | - | - | (1,235,000) | -100.0% |
| Total Revenue & Other Funding Sources | 21,752,913 | 30,676,681 | 30,460,335 | 30,289,439 | 24,796,405 | (5,663,930) | -18.6% |
| Expenditures and Transfers Out | | | | | | | |
| General Government & Administration | | | | | | | |
| Mayor & Council | 689,605 | 923,640 | 872,925 | 856,851 | 1,325,033 | 452,108 | 51.8% |
| City Manager | 442,605 | 406,093 | 485,879 | 468,282 | 589,095 | 103,216 | 21.2% |
| Economic Development | 298,446 | 132,353 | 375,894 | 647,641 | 612,618 | 236,724 | 63.0% |
| City Clerk | 356,586 | 390,909 | 470,360 | 456,097 | 424,834 | (45,526) | -9.7% |
| City Attorney | 135,844 | 148,956 | 181,000 | 157,500 | 221,000 | 40,000 | 22.1% |
| Finance | 879,983 | 1,054,563 | 1,066,176 | 988,599 | 1,150,357 | 84,181 | 7.9% |
| Human Resources | 478,404 | 580,822 | 774,771 | 760,510 | 858,578 | 83,807 | 10.8% |
| Communications & Special Events | 332,644 | 439,667 | 808,317 | 624,190 | 974,968 | 166,651 | 20.6% |
| Information Technology | 685,343 | 812,836 | 963,987 | 974,301 | 1,013,526 | 49,539 | 5.1% |
| Non-Departmental Expenses | 1,816,198 | 198,139 | 179,700 | 171,003 | 205,420 | 25,720 | 14.3% |
| Board of Elections & Ethics Commission | 28,538 | 93,901 | 20,750 | 17,141 | 96,750 | 76,000 | 366.3% |
| Total General Government & Admin. | 6,144,196 | 5,181,879 | 6,199,759 | 6,122,114 | 7,472,179 | 1,272,420 | 20.5% |
| Public Services | 4,703,687 | 4,684,434 | 5,338,472 | 5,384,249 | 5,876,506 | 538,034 | 10.1% |
| Planning & Community Development | 555,261 | 597,104 | 817,929 | 617,076 | 837,043 | 19,114 | 2.3% |
| Youth, Family & Senior Services | 1,138,422 | 1,200,491 | 1,489,486 | 1,379,054 | 1,645,704 | 156,218 | 10.5% |
| Public Works | 5,436,203 | 5,831,282 | 6,765,656 | 6,388,207 | 7,358,714 | 593,058 | 8.8% |
| Total Expenditures | 17,977,770 | 17,495,190 | 20,611,302 | 19,890,700 | 23,190,146 | 2,578,844 | 12.5% |
| Transfer to Capital Proj. Fund | 928,185 | 1,087,703 | 501,659 | 501,659 | 358,411 | (143,248) | -28.6% |
| Transfer to CIP Fund - Excess F/B over 25% | - | 5,440,000 | - | - | - | - | 0.0% |
| Transfer to CIP - Lost revenue recovery | - | - | 7,295,600 | 7,555,600 | - | (7,295,600) | -100.0% |
| Transfer to Debt Service Fund | 900,700 | 1,203,290 | 1,246,774 | 1,246,774 | 1,228,162 | (18,612) | -1.5% |
| Contingency & Other Requests | - | 545,054 | 805,000 | 535,000 | 19,686 | (785,314) | -97.6% |
| Total Expenditures, Transfers & Contingency | 19,806,655 | 25,771,237 | 30,460,335 | 29,729,733 | 24,796,405 | (5,663,930) | -18.6% |
| Excess Revenues over Expenditures | \$ 1,946,258 | \$ 4,905,444 | \$ (0) | \$ 559,706 | \$ (0) | \$ (0) | |
| <i>Roll to FY24 Funding</i> | | | | | | | |
| Unassigned Fund Balance: | | | | | | | |
| Beginning of year | 7,927,436 | 10,022,155 | 15,223,896 | 15,223,896 | 15,783,603 | | |
| Excess Revenues over Expenditures | 1,946,258 | 4,905,444 | (0) | 559,706 | (0) | | |
| Changes in Nonspendable Fund Balance | 148,461 | 296,297 | 0 | | - | | |
| End of year | \$ 10,022,155 | \$ 15,223,896 | \$ 15,223,896 | \$ 15,783,603 | \$ 15,783,602 | | |
| <i>Fund Balance as a % of subsequent year's exp.</i> | 57.3% | 73.9% | 65.6% | 68.1% | 68.1% | | |

ARPA Allocation Fund (Revised)

Attachment 3

| | FY2022 | | FY2023 | | FY2024 | |
|---|---------------------|----------------|--------------------|-----------------|-----------------------|--|
| | Actual | ADOPTED BUDGET | Estimated FY Total | PROPOSED BUDGET | Added to Prop. Budget | |
| Revenue/funding: | | | | | | |
| LFRF allocation | \$ 10,986,422 | \$ - | \$ 10,986,422 | \$ - | | |
| Carryover from prior year (to be allocated in FY2023) | | 8,195,844 | (827,952) | 2,965,626 | | |
| Total funding | \$ 10,986,422 | \$ 8,195,844 | \$ 10,158,470 | \$ 2,965,626 | | |
| Expenditures and other uses: | | | | | | |
| Standard Allowance - Revenue Loss (transfer to General Fund) | \$ 10,000,000 | \$ - | \$ - | \$ - | \$ - | |
| Grants and Assistance (see detail below) | (A) | 1,621,899 | 579,000 | 1,579,000 | 1,465,000 | |
| PPE, prevention measures, and other related public health | | 93,910 | 100,000 | 20,000 | 25,000 | |
| Program administration | | 78,917 | 40,000 | 40,000 | 50,000 | |
| Lakeland neighborhood revitalization plan supporting restorative justice effort (plan only) | | | | 100,000 | | |
| Community Preservation Land Trust | | | 3,000,000 | 3,000,000 | - | |
| Attick Towers renovations/repairs | | | | 1,000,587 | 250,626 | |
| Stormwater mitigation | | 19,648 | 400,000 | 200,000 | 1,000,000 | |
| Contingency: | | | | | | |
| Schools - Literacy Program | | | | 30,000 | 30,000 | |
| Schools - Tutoring Program | | | | 45,000 | 45,000 | |
| Senior initiatives | | | 100,000 | 50,000 | - | |
| Urgent aid for assistance and other ARPA eligible requests | | | 100,000 | - | - | |
| Transfers to CIP (see Project detail below) | (B) | | 2,855,000 | 1,303,257 | - | |
| Total expenditures/transfers out | | 11,814,374 | 7,174,000 | 7,192,844 | 2,965,626 | |
| Local Fiscal Recovery Funds - carryover to FY2023 | \$ | (827,952) | \$ 1,021,844 | \$ 2,965,626 | \$ - | |
| Grants and Assistance (A) | | | | | | |
| Food service organizations | \$ | 250,000 | \$ 125,000 | \$ 250,000 | \$ 515,000 | |
| Shop Made in MD grant | | - | - | 75,000 | - | |
| Family & Individual Financial Assistance | | 121,898 | - | 155,000 | 75,000 | |
| Business Assistance grants | | 1,187,651 | - | 150,000 | 450,000 | |
| Nonprofit assistance grants | | 62,350 | - | - | - | |
| Hospitality grants | | | - | 495,000 | - | |
| ERHS - Outdoor heaters, air purifiers and filters | | | 4,000 | 4,000 | - | |
| Grants for housing retrofits-aging in place (\$15k - \$30k per retrofit) | | | 300,000 | 300,000 | 200,000 | |
| Additional grants for Volunteer Fire Depts | | | 150,000 | 150,000 | 225,000 | |
| Total Grants & Assistance | (A) | \$ 1,621,899 | \$ 579,000 | \$ 1,579,000 | \$ 1,465,000 | |
| ARPA Fund transfers to CIP (B) | | | | | | |
| Playground reno - Oak Spring (Mews) playground | CIP - Dept. Capital | \$ 60,000 | \$ 60,000 | \$ - | | |
| Playgrounds additional funding to provide for cost increases/inflation | CIP - Dept. Capital | 125,000 | 125,000 | - | | |
| Assist Meals on Wheels with acquisition of a new CP facility | CIP - Prop. Acquis. | 800,000 | 800,000 | - | | |
| Purchase Compost Yard property (just an estimate) | CIP - Prop. Acquis. | 1,000,000 (1) | - | - | | |
| EV infrastructure improvements (fleet & truck garage) | CIP-DPW Fac.Imp | 250,000 (1) | - | - | | |
| EV trash truck | CIP-Vehicle Repl. | 420,000 (1) | - | - | | |
| Pedestrian & Bike paths or sidewalks | CIP - C&G Streets | 200,000 | 318,257 | - | | |
| Total transfers to CIP | (B) | \$ 2,855,000 | \$ 1,303,257 | \$ - | | |

(1) Not ARPA eligible - reallocate to Lost Rev.

CAPITAL PROJECTS FUND

Attachment 4 p. 1

| | FY 2021 | FY 2022 | FY 2023 | | FY 2024 |
|---|-------------------|-------------------|-------------------|--------------------|-------------------|
| | ACTUAL | ACTUAL | ADJUSTED BUDGET | Estimated FY Total | PROPOSED BUDGET |
| REVENUE/SOURCES | | | | | |
| PEG Funds - Comcast & Verizon | \$ 122,866 | \$ 151,427 | \$ 140,000 | \$ 140,576 | \$ 140,000 |
| State Grants/State Bond Bill/Prog.Open Space | 1,602,491 | 167,586 | 750,000 | 166,236 | 100,000 |
| County Grants | | 5,000 | 150,000 | 38,000 | 1,150,300 |
| Other Grants | | 50,000 | 237,203 | 281,045 | - |
| Charges for Services | | - | - | - | - |
| Investment earnings | 20,388 | 8,089 | - | 162,381 | 50,000 |
| Rents-OPH & 4704 Calvert Rd. | | 20,850 | - | 79,680 | - |
| Developer Contributions | | 50,000 | - | - | - |
| Sale of Fixed Assets | 38,052 | - | 12,500 | 12,750 | 15,000 |
| UMD Reimbursement-Final True-up on City Hall | | | | 1,540,255 | |
| Miscellaneous | | 369,808 | | | 75,000 |
| Proceeds from Bonds/loans | | - | - | - | - |
| Interproject transfer | 1,225,000 | - | 58,752 | 58,752 | 953,589 |
| Interfund transfers from: | | | | | |
| General Fund: | | | | | |
| Operating transfer | 928,185 | 1,087,703 | 2,501,659 | 2,501,659 | 1,558,411 |
| Excess fund balance transfer - FY2022 | | 5,440,000 | (3,000,000) | (3,000,000) | (1,200,000) |
| From excess fund balance transfer-specif. proj: | | | | | |
| CP Woods & North CP Community Centers | | | 1,000,000 | 1,000,000 | |
| Lost Revenue Allocation | | | 7,295,600 | 7,555,600 | 52,000 |
| ARPA Allocation Fund: | | - | 2,855,000 | 2,000,000 | |
| CIP Reserves - carryforward | 29,178,512 | 16,871,111 | 13,305,827 | 13,435,147 | 15,594,038 |
| Total Revenue/Funding Sources | 33,115,494 | 24,221,574 | 25,306,541 | 25,972,081 | 18,488,338 |
| EXPENDITURES - Capital Outlay | | | | | |
| CIP projects & Departmental capital | 16,244,383 | 10,786,427 | 17,965,422 | 10,378,043 | 11,891,256 |
| Total Capital Outlay | 16,244,383 | 10,786,427 | 17,965,422 | 10,378,043 | 11,891,256 |
| Reserve for Capital Projects | \$ 16,871,111 | \$ 13,435,147 | \$ 7,341,119 | \$ 15,594,038 | \$ 6,597,082 |

Five-Year Capital Improvement Program
Summary

Attachment 4 p. 2

FY 2024 - FY 2028 (REVISED)

| | Cumulative Inception to June 30, 2022 | FY 2023 Estimated Total | Cumulative Inception to June 30, 2023 | FY 2024 Budget | FY 2025 Projected | FY 2026 Projected | FY 2027 Projected | FY 2028 Projected | Cumulative Inception to End/FY28 Projected |
|--|---|-------------------------------|---|----------------------|----------------------|----------------------|----------------------|----------------------|---|
| Funding Sources: | Actual | | Estimated | | | | | | |
| Reserve Balance - July 1 | | \$ 13,435,147 | \$ 13,435,147 | \$ 15,594,038 | \$ 6,597,082 | \$ 4,419,117 | \$ 3,391,245 | \$ 3,422,145 | |
| Utility Franchise Fees | \$ 3,420,263 | 140,576 | 3,560,839 | 140,000 | 140,000 | 140,000 | 140,000 | 140,000 | \$ 4,260,839 |
| Grants/Program Open Space | 4,345,654 | 485,281 | 4,830,935 | 1,250,300 | 95,000 | - | - | - | 6,176,235 |
| Gov't charges, Highways/Streets/Inv. Earn | 268,071 | 162,381 | 430,452 | 50,000 | - | - | - | - | 480,452 |
| UMD Reimbursement-Final City Hall True-up | | 1,540,255 | 1,540,255 | - | - | - | - | - | 1,540,255 |
| Developer Contributions | 1,050,200 | - | 1,050,200 | - | - | - | - | - | 1,050,200 |
| Sale of fixed assets, rent, other revenue | 1,095,448 | 92,430 | 1,187,878 | 90,000 | 12,000 | 12,000 | 15,000 | 10,000 | 1,326,878 |
| Capital leases/Bond proceeds | 21,772,366 | - | 21,772,366 | - | - | - | - | - | 21,772,366 |
| Transfers from: | | | | | | | | | |
| General Fund: | | | | | | | | | |
| Operating | 30,330,785 | 2,501,659 | 32,832,444 | 1,558,411 | 3,525,000 | 3,273,228 | 2,975,000 | 3,000,000 | 47,164,083 |
| Excess fund bal. - FY2022 | 5,440,000 | (3,000,000) | 2,440,000 | (1,200,000) | (750,000) | (490,000) | - | - | - |
| Specific projects: | | | | | | | | | |
| North CP & CP Woods Comm. Ctr. | - | 1,000,000 | 1,000,000 | - | - | - | - | - | 1,000,000 |
| Lost revenue recovery | 100,000 | 7,555,600 | 7,655,600 | 52,000 | - | - | - | - | 7,707,600 |
| ARPA Allocation Fund | - | 2,000,000 | 2,000,000 | - | - | - | - | - | 2,000,000 |
| Inter-project transfer | 3,398,573 | 58,752 | 3,457,325 | 953,589 | - | - | - | - | 4,410,914 |
| Total Funding Sources | \$ 71,221,360 | \$ 25,972,081 | \$ 97,193,441 | \$ 18,488,338 | \$ 9,619,082 | \$ 7,354,345 | \$ 6,521,245 | \$ 6,572,145 | \$ 94,349,567 |
| Proj. # Capital/Project Expenditures | | | | | | | | | |
| 092003 CCTV | 1,390,232 | 121,380 | 1,511,612 | 100,000 | - | - | - | - | 1,611,612 |
| 041003 City Hall | 20,794,793 | 910,870 | 21,705,663 | - | - | - | - | - | 21,705,663 |
| 181015 CP Woods Property Acquisition & Redevelopment | 700,982 | 150,000 | 850,982 | 1,000,000 | 250,000 | 150,000 | - | - | 2,250,982 |
| 231001 North College Park Comm. Center | | | | - | 750,000 | 750,000 | - | - | 1,500,000 |
| 053007 Duvall Field Renovation - Phase 2 | 1,877,124 | 427,470 | 2,304,594 | 5,382,670 | - | - | - | - | 7,687,264 |
| 991013 Facilities Capital Reserve | 509,097 | 700,735 | 1,209,832 | 651,100 | 686,965 | 321,600 | 321,600 | 321,600 | 3,512,697 |
| 103004 Hollywood Commercial Revitaliz. | 1,736,128 | 2,014,014 | 3,750,142 | - | - | - | - | - | 3,750,142 |
| 011004 Institutional Network/PEG | 1,832,564 | 46,415 | 1,878,979 | 40,316 | 32,500 | 32,500 | 32,500 | 32,500 | 2,049,295 |
| 155001 Old Parish House Renovations | 336,800 | 142,080 | 478,880 | 30,000 | 50,000 | 50,000 | 50,000 | 50,000 | 708,880 |
| 162002 Parking Enforce. Equip. Replace. | 463,265 | 40,960 | 504,225 | 42,000 | 50,000 | 40,000 | 50,000 | 40,000 | 726,225 |
| 181014 Property Acquisition | 1,731,914 | 1,253,503 | 2,985,417 | 140,000 | 40,000 | 40,000 | 40,000 | 40,000 | 3,285,417 |
| 015002 Public Works Facilities Improve. | 1,460,807 | 294,193 | 1,755,000 | 160,000 | 100,000 | 50,000 | 150,000 | 50,000 | 2,265,000 |
| * Streets & Sidewalks | 10,415,623 | 3,292,223 | 13,707,846 | 2,921,670 | 2,306,500 | 1,675,000 | 1,575,000 | 1,650,000 | 23,836,016 |
| 925061 Vehicle Replacement Program | 10,513,344 | 542,109 | 11,055,453 | 1,218,000 | 784,000 | 754,000 | 730,000 | 700,000 | 15,241,453 |
| 231005 Sentinel Swamp Sanctuary | - | 28,500 | 28,500 | 171,500 | - | - | - | - | 200,000 |
| Departmental Capital ** | 1,829,743 | 413,591 | 2,243,334 | 34,000 | 150,000 | 100,000 | 150,000 | 200,000 | 2,877,334 |
| Total Capital Expenditures | \$ 57,786,213 | \$ 10,378,043 | \$ 68,164,256 | \$ 11,891,256 | \$ 5,199,965 | \$ 3,963,100 | \$ 3,099,100 | \$ 3,084,100 | \$ 93,207,980 |

* Streets & Sidewalks line includes 4 individual CIP projects: Complete & Green Streets - #113004; Pavement Management Plan - #045008; Pedestrian Streetlights (Baltimore Ave) - # 200001; and Rhode Island Ave. Bike Lane Intersection Improvements - #190001

FACILITIES CAPITAL RESERVE
Project #991013

Attachment 4 p. 3

Project Description:

This project was established in FY99 to provide funding for future expenditures relating to major maintenance and repairs of City-owned buildings, including City Hall, Public Services, Youth & Family Services, Calvert Road School, Old Parish House, the Parking Garage and surrounding structures. The Mayor & Council have a goal of setting aside a sum certain each year, depending upon availability of funds, in order to provide a substantial reserve account over a period of years. This reserve may be used to provide funding for acquisition of properties as necessary.

| | Cumulative Project Inception to June 30, 2022 | | | | Cumulative Project Inception to June 30, 2023 | | | | Cumulative Project Inception to End/FY28 Projected | | | |
|--|--|------------------------|--|----------------------|--|-------------------------------|----------------------|----------------------|--|----------------------|--------------|------------------|
| | Actual | Actual YTD 12/31/22 | FY 2023 Estimated Jan to 6/30/23 | FY2023 Est. Total | Estimated | FY 2024 Proposed Budget | FY 2025 Projected | FY 2026 Projected | FY 2027 Projected | FY 2028 Projected | | |
| Funding Sources: | | | | | | | | | | | | |
| Reserve Balance - beginning of year | | | | | | \$ 1,322,422 | \$ 831,322 | \$ 644,357 | \$ 822,757 | \$ 1,001,157 | | |
| State Grants | \$ 172,600 | | | \$ - | \$ 172,600 | | | | | | | 172,600 |
| Other Grants - PEPCO for Roanoke Pl. property | | | 10,000 | 10,000 | 10,000 | | | | | | | 10,000 |
| Gen. gov't charges-rent 4704 Calvert Rd. | 15,750 | 24,360 | 48,720 | 73,080 | 88,830 | 75,000 | | | | | | 163,830 |
| General Fund | 913,224 | | | | 913,224 | 33,000 | 500,000 | 500,000 | 500,000 | 500,000 | | 2,946,224 |
| General Fund - lost revenue recovery | | 1,347,600 | | 1,347,600 | 1,347,600 | 52,000 | - | - | - | - | | 1,399,600 |
| Total Funding Sources | 1,101,574 | 1,371,960 | 58,720 | 1,430,680 | 2,532,254 | 1,482,422 | 1,331,322 | 1,144,357 | 1,322,757 | 1,501,157 | | 4,692,254 |
| Capital/Project expenditures: | | | | | | | | | | | | |
| Prof Serv/ Consult. (4704 Calvert Rd/Roanoke Pl. | 13,220 | | 25,000 | 25,000 | 38,220 | 75,000 | | | | | | 113,220 |
| Special Services | - | | | | | | | | | | | - |
| Repairs & Maint (Parking Garage renov/upgrade*) | 62,473 | 14,635 | 75,000 | 89,635 | 152,108 | 150,000 | 365,365 | - | | | | 667,473 |
| Repairs & Maint.- 4704 Calvert Rd. | | | 1,500 | 1,500 | 1,500 | 5,000 | | | | | | 6,500 |
| Repairs & Maint.- Roanoke Pl. property | | | 1,000 | 1,000 | 1,000 | 5,000 | | | | | | 6,000 |
| Maintenance contracts | | | | | | | | | | | | - |
| Utilities - 4704 Calvert Rd. | 1,843 | 3,547 | 3,500 | 7,047 | 8,890 | 9,500 | | | | | | 18,390 |
| Calvert Rd School fence replacement | | | | | | 85,000 | | | | | | 85,000 |
| Land, Property, Equipment & Improve. | 362,773 | 34,953 | 220,000 | 254,953 | 617,726 | | | | | | | 617,726 |
| Inter-project transfer | 34,758 | | | | 34,758 | | | | | | | 34,758 |
| New City Hall - accumulated replace. Reserve | | 321,600 | | 321,600 | 321,600 | 321,600 | 321,600 | 321,600 | 321,600 | 321,600 | | 1,929,600 |
| Transfers-Facilities Capital Reserve | 34,030 | | | | 34,030 | | | | | | | 34,030 |
| Total Capital/Project Expenditures | 509,097 | 374,735 | 326,000 | 700,735 | 1,209,832 | 651,100 | 686,965 | 321,600 | 321,600 | 321,600 | | 3,512,697 |
| Reserve Balance - end of year | \$ 592,477 | \$ 997,225 | \$ (267,280) | \$ 729,945 | \$ 1,322,422 | \$ 831,322 | \$ 644,357 | \$ 822,757 | \$ 1,001,157 | \$ 1,179,557 | \$ 1,179,557 | |

* Beginning in FY2022, the City will began major repairs and upgrades to the Parking Garage, to be carried out over 5 years, at an estimated total of cost of \$667,500

Impact on operating budget:

Most projects funded improve the efficiency of City facilities, reducing operating costs. Other projects have no operating costs. Other projects have no significant impact on the operating budget, with costs covered in existing budget, with costs covered in existing budgets.

Estimated total project cost:

Ongoing project

Estimated completion date:

Ongoing

Department:

Finance

Manager:

Gary Fields, Finance Director

Initial year appropriated:

FY 1999

PROPERTY ACQUISITION
Project #181014

Attachment 4 p. 4

Project Description:

This project is for the possible purchase of property for future use or redevelopment. Also for appraisals and matching funds required for certain grants, previously accounted for in Community Development.

| | Cumulative Project Inception to June 30, 2022 | | | | Cumulative Project Inception to June 30, 2023 | | | | Cumulative Project Inception to End/FY28 Projected | | | |
|--|--|------------------------|--|----------------------|--|-------------------------------|----------------------|----------------------|--|----------------------|--------|-----------|
| | Actual | Actual YTD 12/31/22 | FY 2023 Estimated Jan to 6/30/23 | FY2023 Est. Total | Estimated | FY 2024 Proposed Budget | FY 2025 Projected | FY 2026 Projected | FY 2027 Projected | FY 2028 Projected | | |
| <u>Funding Sources:</u> | | | | | | | | | | | | |
| Reserve Balance - beginning of year | | | | | | \$ 1,603,361 | \$ 1,563,361 | \$ 1,523,361 | \$ 1,533,361 | \$ 1,493,361 | | |
| State Grants/Program Open Space | | | 63,553 | 63,553 | 63,553 | 100,000 | | | | | | 163,553 |
| General Fund | 80,000 | | | - | 80,000 | | | 50,000 | | | 50,000 | 180,000 |
| General Fund - lost revenue recovery | | 2,600,000 | | 2,600,000 | 2,600,000 | | | | | | | 2,600,000 |
| ARPA Allocation Fund | | | 1,800,000 | 1,800,000 | 1,800,000 | | | | | | | 1,800,000 |
| Inter-project transfer | 45,225 | | | - | 45,225 | | | | | | | 45,225 |
| Total Funding Sources | 125,225 | 2,600,000 | 1,863,553 | 4,463,553 | 4,588,778 | 1,703,361 | 1,563,361 | 1,573,361 | 1,533,361 | 1,543,361 | | 4,788,778 |
| <u>Capital/Project expenditures:</u> | | | | | | | | | | | | |
| Prof Services (Appraisals & Matching Funds) | 5,600 | 2,600 | 2,500 | 5,100 | 10,700 | 40,000 | 40,000 | 40,000 | 40,000 | 40,000 | | 210,700 |
| Meals On Wheels - ARPA funded | | | 800,000 | 800,000 | 800,000 | | | | | | | 800,000 |
| Hospitality Grant (from Lost Revenue Recovery) | | | 375,000 | 375,000 | 375,000 | | | | | | | |
| Land, Property, Equipment & Improve. | 1,726,314 | 9,850 | 63,553 | 73,403 | 1,799,717 | 100,000* | | | | | | 1,899,717 |
| Total Capital/Project Expenditures | 1,731,914 | 12,450 | 1,241,053 | 1,253,503 | 2,985,417 | 140,000 | 40,000 | 40,000 | 40,000 | 40,000 | | 2,910,417 |
| Reserve Balance - end of year | \$ (1,606,689) | \$ 2,587,550 | \$ 622,500 | \$ 3,210,050 | \$ 1,603,361 | \$ 1,563,361 | \$ 1,523,361 | \$ 1,533,361 | \$ 1,493,361 | \$ 1,503,361 | \$ | 1,878,361 |
| Lost Revenue Rec. funding | | \$ 2,600,000 | | | | | | | | | | |
| Purchase 4704 Calvert Prop | | (1,726,314) | | | | | | | | | | |
| Available | | \$ 873,686 | | | | | | | | | | |
| Use \$375k for new business grants | | | | | | | | | | | | |

Impact on operating budget:

There is no impact on the operating budget as this project has, to date, only been used to set aside funds for possible property acquisition. If/when acquisitions are made a determination will be made to consider the

Estimated total project cost:

Unknown

Estimated completion date:

Unknown

Department:

Finance

Manager:

Kenny Young, City Manager

Initial year appropriated:

FY 2018

COMPLETE & GREEN STREETS
Project #113004

Attachment 4 p. 5

Project Description:

This is a program established to implement the complete and green streets policy adopted by the City Council. It funds projects to improve facilities for walking and bicycling within City rights-of-way as well as green infrastructure. A priority matrix was developed by City staff to help identify projects for funding and an implementation plan has been developed to enhance connectivity. State matching grants will be pursued to assist with funding this project.

| | Cumulative Project Inception to June 30, 2022 Actual | FY 2023 Actual YTD 12/31/22 | FY 2023 Estimated Jan to 6/30/23 | FY 2023 Est. Total | Cumulative Project Inception to June 30, 2023 Estimated | FY 2024 Proposed Budget | FY 2025 Projected | FY 2026 Projected | FY 2027 Projected | FY 2028 Projected | Cumulative Project Inception to End/FY28 Projected |
|--|--|-----------------------------------|--|-----------------------|---|-------------------------------|----------------------|----------------------|----------------------|----------------------|--|
| <u>Funding Sources:</u> | | | | | | | | | | | |
| Reserve Balance - beginning of year | | | | | | \$ 476,108 | \$ 7,969 | \$ 1,469 | \$ 101,469 | \$ 76,469 | |
| Other Grants (CDBG) | 181,927 | | 237,203 | 237,203 | 419,130 | | | | | | 419,130 |
| Developer Contributions | 50,000 | | | - | 50,000 | | | | | | 50,000 |
| Other revenue - WSSC contribution | 369,608 | | | - | 369,608 | | | | | | 369,608 |
| General Fund | 1,153,323 | 950,000 | | 950,000 | 2,103,323 | 175,000 | 600,000 | 385,000 | 650,000 | 675,000 | 4,588,323 |
| General Fund - FY2022 Excess fund bal. xfer | | | | | | 400,000 | 750,000 | 490,000 | | | 1,640,000 |
| General Fund - lost revenue recovery | | 907,000 | | 907,000 | 907,000 | | | | | | 907,000 |
| ARPA Allocation Fund | | | 200,000 | 200,000 | 200,000 | | | | | | 200,000 |
| Total Funding Sources | 1,754,858 | 1,857,000 | 437,203 | 2,294,203 | 4,049,061 | 1,051,108 | 1,357,969 | 876,469 | 751,469 | 751,469 | 8,174,061 |
| <u>Capital/Project Expenditures:</u> | | | | | | | | | | | |
| Prof Services | 464,918 | 17,812 | | 17,812 | 482,730 | | | | | | 482,730 |
| Special Services - permit fees | 12,682 | 11,214 | | 11,214 | 23,896 | | | | | | 23,896 |
| Land, Property, Equipment & Improve. | 454,657 | 52,753 | | 52,753 | 507,410 | 175,000 (A) | | | | | 682,410 |
| Projects from lost revenue recovery | | | 907,000 | 907,000 | 907,000 | | | | | | 907,000 |
| Pedestrian & Bike paths or sidewalks (ARPA funded) | | | 200,000 | 200,000 | 200,000 | | | | | | 200,000 |
| <u>Sidewalk projects:</u> | | | | | | | | | | | |
| Edmondston Rd. | | | 1,205,112 | 1,205,112 | 1,205,112 | 150,000 | | | | | 1,355,112 |
| Hollywood Rd. | | | 101,000 | 101,000 | 101,000 | 406,639 | | | | | 507,639 |
| 52nd Ave | | | 145,805 | 145,805 | 145,805 | 311,500 | 836,500 | 225,000 | | | 1,518,805 |
| Ruatan St. | | | | | | | 325,000 | 225,000 | | | 550,000 |
| Huron St. | | | | | | | 30,000 | | | | 30,000 |
| 51st Ave. | | | | | | | 40,000 | | | | 40,000 |
| Dartmouth | | | | | | | 25,000 | | | | 25,000 |
| 48th Pl. | | | | | | | 100,000 | 225,000 | 225,000 | | 550,000 |
| Bowdoin | | | | | | | | 100,000 | 350,000 | | 450,000 |
| Wellesley | | | | | | | | | 100,000 | 750,000 | 850,000 |
| Total Capital/Project Expenditures | 932,257 | 81,779 | 2,558,917 | 2,640,696 | 3,572,953 | 1,043,139 | 1,356,500 | 775,000 | 675,000 | 750,000 | 8,172,592 |
| Reserve Balance - end of year | \$ 822,601 | \$ 1,775,221 | \$ (2,121,714) | \$ (346,493) | \$ 476,108 | \$ 7,969 | \$ 1,469 | \$ 101,469 | \$ 76,469 | \$ 1,469 | \$ 1,469 |

Impact on operating budget:

To be determined

Estimated total project cost:

\$ 8,172,592

Estimated completion date:

Ongoing project

Department:

Planning & Community Development

Manager:

Director of Planning & Community Development
Steve Halpern, City Engineer

Initial year appropriated:

FY 2011

FY24 Council Requests:

| | |
|----------------------------------|-----------------------|
| Old Town Traffic Calm. Plan | \$ 45,000 |
| Metzerott Driveway Program | 50,000 |
| Additional Lakeland StLights | 5,000 |
| Replace Edmonston StLights | 75,000 |
| Total additional projects | \$ 175,000 (A) |

State of Maryland

Department of Assessments and Taxation

February 14, 2023

2023 Constant Yield Tax Rate Certification

Taxing authority: **College Park**
~~Noncommercial~~ **Real Property**
REVISED

| | | | | |
|----|------------|---------------------------------------|----|---------------|
| 1 | 1-Jul-2022 | Gross assessable real property base | \$ | 1,628,778,038 |
| 2 | 1-Jul-2022 | Homestead Tax Credit | - | 247,440,249 |
| 3 | 1-Jul-2022 | Net assessable real property base | | 1,381,337,789 |
| 4 | 1-Jul-2022 | Actual local tax rate (per \$100) | x | 0.3018 |
| 5 | 1-Jul-2022 | Potential revenue | \$ | 4,168,877 |
| 6 | 1-Jul-2023 | Estimated assessable base | \$ | 1,784,462,189 |
| 7 | 1-Jan-2023 | Half year new construction | - | 0 |
| 8 | 1-Jul-2023 | Estimated full year new construction* | - | 1,000,000 |
| 9 | 1-Jul-2023 | Estimated abatements and deletions** | - | 279,693,376 |
| 10 | 1-Jul-2023 | Net assessable real property base | \$ | 1,503,768,813 |

| | | | | |
|----|------------|-----------------------------------|----|---------------|
| 11 | 1-Jul-2022 | Potential revenue | \$ | 4,168,877 |
| 12 | 1-Jul-2023 | Net assessable real property base | ÷ | 1,503,768,813 |
| 13 | 1-Jul-2023 | Constant yield tax rate | \$ | 0.2772 |

Certified by



Director

* Includes one-quarter year new construction where applicable.

**Actual + estimated as of July 1, 2023, including Homestead Tax Credit.
 Form CYTR #1

State of Maryland
 Department of Assessments and Taxation

February 14, 2023

2023 Constant Yield Tax Rate Certification

Taxing authority: **College Park**
Commercial Real Property
REVISED

| | | | | |
|----|------------|---------------------------------------|----|---------------|
| 1 | 1-Jul-2022 | Gross assessable real property base | \$ | 1,912,043,784 |
| 2 | 1-Jul-2022 | Homestead Tax Credit | - | 0 |
| 3 | 1-Jul-2022 | Net assessable real property base | | 1,912,043,784 |
| 4 | 1-Jul-2022 | Actual local tax rate (per \$100) | x | 0.3018 |
| 5 | 1-Jul-2022 | Potential revenue | \$ | 5,770,548 |
| 6 | 1-Jul-2023 | Estimated assessable base | \$ | 2,096,629,526 |
| 7 | 1-Jan-2023 | Half year new construction | - | 168,780,500 |
| 8 | 1-Jul-2023 | Estimated full year new construction* | - | 3,000,000 |
| 9 | 1-Jul-2023 | Estimated abatements and deletions** | - | 13,720,000 |
| 10 | 1-Jul-2023 | Net assessable real property base | \$ | 1,911,129,026 |

| | | | | |
|----|------------|-----------------------------------|----|---------------|
| 11 | 1-Jul-2022 | Potential revenue | \$ | 5,770,548 |
| 12 | 1-Jul-2023 | Net assessable real property base | ÷ | 1,911,129,026 |
| 13 | 1-Jul-2023 | Constant yield tax rate | \$ | 0.3019 |

EXEMPT

Certified by



Director

* Includes one-quarter year new construction where applicable.

**Actual + estimated as of July 1, 2023, including Homestead Tax Credit.
 Form CYTR #1

13 A

2023 Quarterly Financial Presentation



**CITY OF COLLEGE PARK, MARYLAND
DISCUSSION / PRESENTATION COVER REPORT**

Prepared By: Gary Fields, Finance Director

Meeting Date: 4/25/23

Presented By: Gary Fields

Originating Department: Finance

Topic: Quarterly Financial Report presentation
(Report will be provided at the meeting)

Strategic Plan Objective: OKR 1 – Innovate and improve City services to enhance quality, value, and accessibility for all our residents.

Background:

Finance staff prepares a monthly financial report of actual revenue and expenditures for the period along with related budget amounts. This report shows both the month's activity as well as year-to-date information. Staff uses these reports to identify significant and/or unexpected variances from the budget.

Understanding the causes of significant variances is crucial to our financial planning. While most variances are anticipated and explained as "timing differences", identifying significant, unexpected variances on a timely basis allows for corrective action if necessary.

Presentation at the City Council meeting offers the public with a quarterly overview of the City's financial transactions. The provided report will compare the actual revenue and expenses to the budget and highlight and explain significant variances from expected results.

Fiscal Impact:

The quarterly financial report has no fiscal impact. It provides information to assist in making decisions related to future operations.

Council Options:

N/A

Staff Recommendations:

N/A

Attachments:

N/A

13 B

Discussion of having a different property
tax rate for vacant and blighted
properties



**CITY OF COLLEGE PARK, MARYLAND
DISCUSSION / PRESENTATION COVER REPORT**

Prepared By: Gary Fields, Finance Director

Meeting Date: 4/25/23

Presented By: Kenny Young, City Manager
Bob Ryan, Public Services Director
Gary Fields, Finance Director

Originating Department: Public Services

Topic: Discussion of setting a different property tax rate for vacant and blighted properties

Strategic Plan Objective: OKR 1 – Innovate and improve City services to enhance quality, value, and accessibility for all our residents.

Background:

Vacant and blighted properties can be residential, commercial, or industrial, and can involve a wide range of circumstances. These properties can pose a threat to public safety and can be a public nuisance.

Vacant/blighted properties include abandoned buildings, unused lots that attract trash and debris, under-leased shopping strip/plaza commercial properties, neglected industrial properties with environmental contamination, deteriorating single-family homes/apartments with significant housing code violations, and housing that remains vacant for long periods of time.

These properties can create a drain on City resources in a variety of ways:

- reduce city tax revenues - through tax payment delinquency, reduced assessments due to lower value, and lowered property values in the surrounding neighborhood.
- low occupancy rates reduce value and can be used as the basis for property assessment appeal.
- added costs of enforcement, patrol, and maintenance in some cases.

In the past, the City has encouraged certain types of development through tax credits. However, a tax credit can only be granted if authorized by the State. At this point, while Montgomery County is authorized to grant tax credits to blighted properties, this option is not available in Prince George's County.

The City is authorized under §6-303 of the Real Property Article to set the municipal tax rate. If not otherwise prohibited by the Real Property Article, the City may set special rates for any class of property that is subject to the municipal corporation property tax. The Real Property Article does not prohibit setting a special tax rate for vacant and/or blighted properties.

Some local governments are setting higher property tax rates for vacant and/or blighted properties to incentivize and encourage property owners to properly maintain their property and/or achieve higher occupancy rates at a set standard. Two local examples are the City of Mount Rainier, in Prince George's County, which taxes vacant developed property at a higher rate and Washington, DC, which taxes both vacant and blighted properties at a higher rate. The attachments to this report include related ordinances or information about their policies with vacant property.

The City of College Park has discussed this topic in the past – in 2015. That discussion was about defining, identifying and maintaining a listing of vacant/blighted properties, but did not include imposing a special property tax rate.

There are a number of questions and legal issues that would need to be addressed if the City Council desires staff to further investigate implementing a higher tax rate on vacant and/or blighted property. Attachment 1 – Discussion Topics for the Council Meeting on April 25, 2023, summarize many of those topics.

Attachment 4 is a list of possible vacant properties in the City provided by Code Enforcement. These are not verified. There are 26 properties that may fall into the vacant classification.

Fiscal Impact:

The purpose of setting a different property tax rate is not to generate additional revenue for the City, but rather to encourage/incentivize property owners to have properties occupied and maintained.

Council Options:

1. Direct staff to further investigate implementing a higher tax rate on vacant and/or blighted properties or to take no further action.

Staff Recommendations:

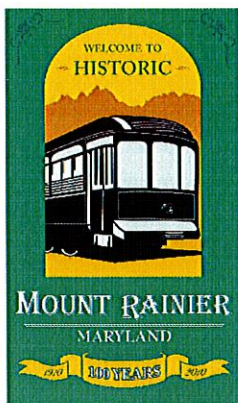
1. Staff will take direction and guidance from City Council

Attachments:

1. Discussion topics from Councilmember Adams
2. Copy of the City of Mt. Rainier's Ordinance 04-2019 related to a higher property tax rate on vacant developed property.
3. Copy of Washington DC's Office of Tax and Revenue information on vacant real property
4. List of possible vacant properties in the City of College Park (UNVERIFIED)

Having a Different Property Tax Rate for Vacant/Blighted Properties
Discussion Topics for City Council Meeting April 25, 2023

1. Prior Council Discussions (2015) and Overall Goals
 - a. Definition and Process of Vacant Homes
 - b. Overall Goals - compel usage of our City assets; affordable housing/commercial, economic activity, QOL.
2. Other Municipalities with Vacant and/or Blighted Property Tax
 - a. Washington, DC
 - b. Mt. Rainier
3. Legal Authority:
 - a. Legal authority for the City to establish a vacant property tax
 - b. Legal authority for the City to establish a blighted property tax
 - c. Confirm that a vacant and/or blight property tax can be applied to all five property classes (Single-family residential, apartments, condos, commercial, industrial) or any combination of the five property classes.
4. Discuss how a vacant and/or blighted property tax would be implemented
 - a. Typically, a vacant and/or blighted property tax would increase the City property tax levy by a certain multiplier (from 30.18 cents * 3 = 90.54 cents per \$100 in assessed value).
 - i. Example of a home worth \$300k would be \$905 in current City taxes; however, if designated as vacant and the vacant rate was 3x, then the property tax for the home would be \$2,716 (\$1,811 increase).
 - ii. Example for a small business, valued at \$1 million, would be \$3,018 in current City taxes. If designated as vacant, with that rate set at 3x, the property tax would be \$9,054 (\$6,036 increase).
 - iii. Example for a large apartment complex, with a value of \$50 million, current City taxes would be \$150,900. If designated vacant, with that rate set at 3x the property tax would be \$452,700 (\$301,800 increase).
 1. *Note that certain commercial property that has multiple occupants (businesses) the higher tax rate would be pro-rated based on the percentage of vacancy.*
 - b. Definition of a vacant and/or blighted property.
 - c. Process of designating a vacant and/or blighted property.
 - i. Warnings to property owners
 - ii. Community feedback to submit inquiries
 - iii. City Staff time/process
 - iv. Fiscal/Calendar year
 - d. Appeals board for vacant and/or blighted property.
 - i. Guidelines
 - ii. Resident members only or allow business owners as well



Introduced and Read: April 2, 2019
 Amended: April 2, 2019
 Second Reading and Adoption: May 7, 2019

CITY OF MOUNT RAINIER, MARYLAND

ORDINANCE NO. 04-2019

Drafted by: City Attorney and City Treasurer

Introduced by: Shivali Shah

Amending Chapter 2, Assessments and Taxation and Fees, of the *Mount Rainier Code* to Facilitate the Sale of Vacant Developed Properties and Amending Chapter 3B to Temporarily Exclude Properties that Become Vacant because of the Death of an Owner-Occupant or a Disaster from the Application of the Vacant Developed Property Tax Rate and Registration Requirement

WHEREAS, on March 7, 2017, the Council adopted Ordinance 01-2017, revising the City's policies and procedures regarding vacant buildings and establishing a municipal tax rate for vacant developed property; and

WHEREAS, the purpose of the vacant developed property tax was to encourage property owners to sell, lease or occupy vacant properties to prevent neighborhood blight; and

WHEREAS, the vacant developed property tax has proven effective at encouraging the sale of vacant properties; and

WHEREAS, the applicability of the vacant developed property tax rate to properties at the time of sale has interfered with the ability of potential purchasers to obtain financing because it creates the appearance that a property will remain subject to the increased tax rate when it is transferred to the purchaser; and

WHEREAS, the Council wishes to facilitate and streamline the sale of vacant developed properties to new owners; and

WHEREAS, the City does not wish to impose the vacant developed property tax upon properties that are temporarily vacant because of the death of the owner or because a fire, flood or natural disaster has rendered the property uninhabitable.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOUNT RAINIER, MARYLAND, that Chapter 2, Assessments and Taxation and Fees, and Chapter 3B, Vacant Buildings and Vacant Lot Registration of the *Mount Rainier Code* are amended as follows:

Section 2-108. Vacant developed real property tax.

- A. The definitions prescribed in Section 3B-104 shall apply to this Section.
- B. The municipal tax rate for vacant developed property shall be the amount established by the Ordinance setting the tax rate for that fiscal year on assessments of property subject to municipal property tax.
- C. A lot or parcel shall be subject to the vacant developed property tax rate if it has a building that is registered or designated by the City Manager as a vacant building in accordance with Chapter 3B.
- D. For mixed-use commercial and residential properties with a vacant commercial portion, the vacant developed property tax rate shall apply only to the assessed value of the improved area containing the vacant commercial portion, which shall be determined by multiplying the total assessed value of the improvements by the percentage of the improved area consisting of the vacant commercial portion.
- E. The vacant developed property tax rate shall not apply to a lot or parcel with a vacant utilitarian building if the property also has an occupied building that has an above-grade area equal to or greater than that of the utilitarian building.
- F. Vacant developed property shall not be subject to the vacant developed property tax rate when it is under active construction or undergoing active rehabilitation, renovation, or repair, and there is a valid building permit to make the building fit for occupancy. The exemption from the vacant developed property tax rate under this paragraph shall not exceed a total of two years while the property remains under the ownership of one person or related persons.
- G. The City Manager shall transmit to the Prince George's County tax assessor a list of properties subject to the vacant developed property tax by May 1 of each year, and the vacant developed property tax rate will be levied upon the properties the following fiscal year.
- H. When a property becomes occupied or exempt from the vacant developed property tax rate pursuant to Subsection F, the owner shall notify the City Manager in the manner as may be prescribed by regulation. If the request for termination of the vacant developed property tax rate is approved, the termination shall be effective the following fiscal year.
- I. If the vacant developed property tax rate is paid on a property because of an error on the part of the City, the municipal property tax paid in excess of the taxes due under the regular municipal rate shall be refunded. Refunds pursuant to this subsection shall not exceed the value of the excess payment for a period of one year.
- J. The City Manager will, upon request, provide written notice to the lenders for prospective purchasers of vacant developed property that the property will not be subject to the vacant

developed property tax rate commencing the following fiscal year if the property is occupied or satisfies the requirements of subsection E.

* * *

CHAPTER 3B VACANT BUILDINGS AND VACANT LOT REGISTRATION

Section 3B-103. Definitions

In this Chapter, the definitions in The BOCA National Property Maintenance Code/1996 shall apply, with the following exceptions:

* * *

G. **Vacant developed property** means a lot or parcel of land that has a vacant building except as provided in Section 3B-107.

* * *

Section 3B-104. Vacant Buildings

* * *

N. Designation of vacant buildings.

1. Notice of vacancy designation and right to appeal. The City Manager shall identify nonregistered vacant buildings. The owner shall be notified that the owner's building has been designated as a vacant building, that the property will be subject to the vacant developed property tax rate under Section 2-108, if applicable, and of the owner's right to appeal the vacancy designation. The notice shall advise the owner of the availability of exceptions to the registration requirement and vacant developed tax rate under Section 3B-107.

* * *

Section 3B-107. Exceptions.

A. Temporary exception for death of owner-occupant.

1. A residential property that becomes vacant as a result of the death of an owner of the property who resided at the property or for whom the property was their domicile at the time of their death shall not constitute a vacant developed property for a period of two years after the date of death.
2. To qualify for this exemption, a representative of the estate of the deceased must provide the City Manager with a copy of the death certificate and proof that, on the date of death, the deceased resided at the property or the property was their domicile.

3. Domicile means the place where a person has his or her true, fixed, permanent home, habitation and principal establishment, without any present intention of removing therefrom, and to which place he or she has the intent to return when absent.


B. Temporary exception for accidental damage.

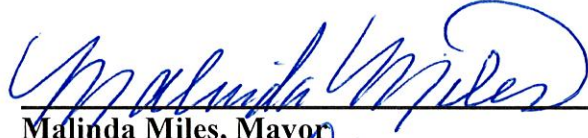
1. An occupied residential property that becomes uninhabitable as a result of a fire or flood, unless intentionally caused by the owner or his or her agent, or a natural disaster, shall not constitute a vacant developed property for a period of two years after the incident that caused the property to become uninhabitable.

2. To qualify for this exemption, the owner must provide satisfactory proof to the City Manager that the property is uninhabitable as a result of a fire, flood, or natural disaster, and the date the fire, flood, or natural disaster occurred. Examples of records that may constitute satisfactory proof include, but are not limited to, police and fire reports, insurance company correspondence and claim documentation, news and weather reports, photographs, videos, and code enforcement inspection records.

THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE CITY OF MOUNT RAINIER THIS 7th DAY OF MAY, 2019.

Attest:



Miranda Braatz, City Manager


Malinda Miles, Mayor


Luke Chesek, Councilmember Ward 1


Celina Benitez, Councilmember Ward 1


Bryan Knedler, Councilmember Ward 2


Shivali Shah, Councilmember Ward 2

From Washington DC Website:

[OTR Vacant Real Property | otr \(dc.gov\)](#)

OTR Vacant Real Property

The "Fiscal Year 2011 Budget Support Act of 2010" created a Class 3 property tax rate for vacant commercial and residential properties and a Class 4 tax rate for blighted properties in the District of Columbia. Class 3, vacant property, is taxed at \$5.00 per \$100 of assessed value and Class 4, blighted property, is taxed at \$10.00 per \$100 of assessed value.

The DC Code allows for exceptions that may allow a vacant property to receive the lower Class 1 or Class 2 tax rate, provided that certain conditions are met. Vacant property owners should contact the [Department of Consumer and Regulatory Affairs \(DCRA\)](#) for information regarding exceptions related to improved vacant property.

Roles in Vacant Property Identification

The Nuisance Properties Abatement and Real Property Classification Emergency Amendment Act of 2006 made several changes to the Class 3 tax classification program. This act defined the roles that DCRA and the Office of Tax and Revenue (OTR) have in the identification and processing of vacant properties.

DCRA receives complaints, identifies and processes the registration of vacant properties by owners, and administers certain fines if property owners do not register.

DCRA also inspects properties, completes an annual survey of vacant properties, and certifies a list of vacant improved properties to OTR. OTR then changes the classification for the properties on the tax roll to the correct status for the appropriate real property tax year.

Reporting Vacant Property

Individuals can report vacant property directly to DCRA by calling (202) 442-4400 or by emailing vacantbuildings@dc.gov.

| Possible Vacant Property (January 2022) - NOT verified | | | | |
|--|--------------|--------|-------------------------|--|
| BLDG # | Street Name | Suffix | Type of vacant property | Evidence of vacancy |
| 4503 | Amherst | Road | Residential | Confirmed unoccupied for years |
| 4501 | Beechwood | Road | Residential | Undergoing interior cosmetic work |
| 7131 | Baltimore | Avenue | Commercial lot | Razed building |
| 7313 A | Baltimore | Avenue | Commercial | FOR LEASE signage |
| 4612 | College | Avenue | Residential | Vacant during inspection in 2020 |
| 4619 | College | Avenue | Residential | Property closed as uninhabitable in 2016 |
| 5013 | Nantucket | Road | Residential | Unoccupied |
| 5011 | Nantucket | Road | Residential | Unoccupied |
| 9802 | 53rd | Avenue | Residential | Unoccupied |
| 5014 | Apache | Street | Residential | Unoccupied |
| 9917 | Rhode Island | Avenue | Commercial | Vacant |
| 9927 | Rhode Island | Avenue | Commercial | Vacant |
| 9037 | 49th | Place | Residential | Overgrown |
| 4800 | Indian | Lane | Residential | Owner Confirmation |
| 9608 | 48th | Place | Residential | Neighbor Confirm |
| 4910 | Lackawana | Street | Residential | Owner Confirmation |
| 9403 | Baltimore | Avenue | Commercial | Unoccupied |
| 9409 | Baltimore | Avenue | Commercial | Unoccupied |
| 9624 | Autoville | Drive | Residential | Unoccupied |
| 9702 | Autoville | Drive | Residential | Unoccupied |
| 9592 | Baltimore | Avenue | Commercial | Unoccupied |
| 9600 | Baltimore | Avenue | Commercial | Unoccupied |
| 7521 | Sweetbriar | Drive | Residential | Unoccupied |
| 7608 | Sweetbriar | Drive | Residential | Unoccupied |
| 8006 | 54th | Avenue | Residential | Unoccupied |
| 8302 | 49th | Avenue | Residential | Unoccupied |
| | | | | |

13 C

Discussion of quality-of-life issues and
of UMD student health and safety



**CITY OF COLLEGE PARK, MARYLAND
DISCUSSION ITEM COVER REPORT**

Prepared By: Robert Ryan
Public Services Director

Meeting Date: 04/25/23

Presented By: Robert Ryan
Public Services Director
Suellen Ferguson, City Attorney

Proposed Consent: No

Originating Department: Public Services – Code Enforcement Division – Licenses and Permits

Action Requested: Discussion of quality-of-life issues (noise, unruly social gatherings, open containers, public intoxication and public urination) and of UM student health and safety.

Strategic Plan Objective: #4 Enhance safety and quality of enforcement to advance our reputation as a safe City.

Background/Justification:

Council has requested a discussion of major quality of life issues.

The City has addressed many quality-of-life issues through the adoption of noise and nuisance ordinances.

Chapter 138-Noise is enforced by Code Enforcement Officers (CEOs) who have been trained in community noise assessment and enforcement. CEOs respond to noise complaints received through the City's code enforcement hotline and may issue municipal infractions based upon the actual measurement by noise meter of noise and the limits established in the Code. Use of a noise meter is an objective standard that is accepted as evidence in court. As a safety measure, CEOs are accompanied by PGPD police officers when responding to noise complaints. When a qualified CEO is not on duty, PGPD responds to noise complaints and abates the source of loud noise. PGPD officers are not allowed by the County to enforce City code requirements. A summary of noise complaints received, violations confirmed, and municipal infractions issued is attached.

Chapter 141-Article II-Unruly Social Gatherings was adopted by Council in September 2019 with the intention of addressing nuisance behavior in addition to noise. This chapter specifically states that an infraction based solely on noise may not be issued under Chapter 141; one of the other factors listed in 141-12.B must also be proven. To prove any one of these factors, the behavior must be witnessed by a Code or Police Officer or a witness must provide an affidavit, allowing the City to issue a municipal infraction based thereon, and appear as a witness in District Court. Because no CEO has witnessed a violation in progress, or no witness has been available, no municipal infractions for violations of this section have been issued.

During the Covid-19 pandemic, several municipal infractions were issued for violation of the public health limits for large gatherings in Chapter 141-Article I.

The fines for violations of §§138 and 141 are the same at \$500.00 for the first violation and \$1,000.00 for repeat violations within any 12-month period.

There have been City/University quality-of-life initiatives in recent years which have resulted in significant improvements. Key among these was the expansion of the UM Code of Student Conduct to apply to UM students anywhere off campus. Whenever a municipal infraction or written warning is issued to a UM student, they are referred to the Office of Student Conduct. Sanctions may include counseling through expulsion. In addition, the City and University Multi-Agency Service Team (CMASST) evolved from a quality-of-life committee. CMASST meets monthly with public safety agencies, UM student affairs, property

owners and elected officials to discuss quality of life issues. UMPD provides a composite report of UMPD, PGPD, and City Public Services incident statistics, and identifies repeat problem properties for focused enforcement attention.

City Contract Police, in addition to supplementing PGPD emergency responses, focus mainly on quality-of life issues such as loud modified vehicle exhaust, pedestrian safety, support of code enforcement officer safety, and safety of pedestrians who may be vulnerable when alone late at night, etc.

The City sponsors an annual pre-fall meeting of licensed bar and restaurant owners, police, and liquor inspectors to review applicable regulations and expectations. UM health service representatives attend as well, to discuss student health issues and share resources related to the use of alcoholic beverages.

UM provides mental health services to students, faculty and staff.

Financial Impact

The cost of enforcement is not offset by fines collected but is necessary to maintain and improve quality of life in City neighborhoods.

Council Options:

1. Discuss current quality of life related regulations and programs.
2. Provide direction to staff.

Staff Recommendation:

Council is requested to discuss these issues and provide direction to staff.

Recommended Motion:

There is no motion at this time.

Attachments:

1. Summary of Noise Complaints
2. Chapters 110-2, 138, 141-Article II
3. Code of Student Conduct

**Summary of Noise complaints received, violations confirmed, and municipal infractions issued
FY13 through YTD-FY23**

| | FY13 | FY14 | FY15 | FY16 | FY17 | FY18 | FY19 | FY20 | FY21 | FY22 | FY23 thru 4/19/2023 |
|---------------------------|------|------|------|------|------|------|------|------|------|------|------------------------|
| Total Calls to Hotline | 435 | 640 | 593 | 541 | 511 | 484 | 378 | 451 | 653 | 652 | 667 |
| --Calls while CEO On-duty | 322 | 487 | 433 | 382 | 336 | 314 | 303 | 347 | 602 | 466 | 406 |
| --Calls referred to CPO | 113 | 153 | 160 | 159 | 175 | 170 | 75 | 104 | 51 | 186 | 261 |
| --Calls noise related | 372 | 539 | 505 | 437 | 414 | 407 | 335 | 398 | 571 | 499 | 420 |
| --Calls not noise related | 63 | 101 | 88 | 104 | 97 | 77 | 43 | 53 | 82 | 153 | 247 |
| | | | | | | | | | | | |
| MIIs issued | 36 | 38 | 39 | 61 | 26 | 37 | 33 | 31 | 105 | 29 | 12 |
| Written Warnings Issued | 277 | 355 | 346 | 280 | 272 | 244 | 209 | 230 | 207 | 29 | 13 |
| Verbal Warnings | - | - | - | - | - | - | - | - | - | - | 63 |

Chapter 110. Fees and Penalties

§ 110-2. Penalties.

[Last amended 10-8-2002 by Ord. No. 02-O-4]

Unless otherwise noted herein, the violation of a City ordinance or resolution is a municipal infraction. The following fines and/or imprisonment for violations of various ordinances or resolutions are applicable in the City of College Park:

| Chapter/Section | Violation | Penalty |
|---|--|--|
| Chapter 34, Elections | | |
| § 34-8 | False statement | \$400 |
| § 34-9 | Electioneering and prohibited practices | \$400 |
| § 34-11 | Collection or disbursement of funds for unregistered political committee | \$400 |
| § 34-12 | Collection or disbursement of funds not through campaign treasurer | \$400 |
| § 34-13 | Failure to maintain accurate accounts | \$400 |
| § 34-14 | Prohibited contributions | \$400 |
| | Receipt of prohibited contribution | \$400 |
| | Prohibited expenditures | \$400 |
| § 34-15 | Campaign finance reports and individual expenditure reports: | |
| [Amended 9-11-2018 by Ord. No. 18-O-09] | | |
| | Late reports (late filing fee) | \$25 per day or fraction thereof; maximum of \$250 |
| | Incomplete or inaccurate report; or failure to file report | \$400 |
| | False statement | \$400 |
| § 34-17 | Political matter published or distributed | \$400 |
| Chapter 38, Ethics, Code of | | |
| § 38-11 | Conflicts of interest | \$400 |
| § 38-12 | Nepotism | \$400 |
| § 38-13 | Abuse of position | \$400 |
| § 38-14 | Disclosure of confidential information | \$400 |
| § 38-15 | Unauthorized use of City property | \$400 |
| § 38-16 | Discriminatory practices | \$400 |
| § 38-17 | Conflict disclosure statements: | |
| | Incomplete or inaccurate report; | \$400 |

| Chapter/Section | Violation | Penalty |
|---|---|--|
| | or failure to file report | |
| § 38-18 | Lobbying disclosure statements: | |
| | Failure to file | \$400 |
| | Incomplete or inaccurate annual report; or failure to file | \$400 |
| Ch. 78, Air Pollution | | |
| § 78-3B | Environmental impact statement requirement, failure to file | \$200 |
| Ch. 87, Building Construction | | |
| § 87-3 | Failure to obtain building permit | \$200 |
| | For each subsequent business day which violator fails to apply for a permit | \$200 |
| § 87-7 | Failure to abide by stop-work order | \$200 |
| | For each subsequent calendar day | \$200 |
| § 87-20 | All other violations of chapter | \$50 |
| Ch. 93, Cable Television Franchise | | |
| | Chapter | Penalties as set out in § 93-14A(1)(a) through (m) |
| Ch. 102, Dogs and Other Animals | | |
| § 102-6B | Animal found at large | |
| | First violation | \$50 |
| | Second violation in 12-month period | \$100 |
| | Third or subsequent violation in 12-month period | \$250 |
| § 102-11 | Animal wastes: | |
| | First violation | \$50 |
| | Second violation in 12-month period | \$100 |
| | Third or subsequent violation in 12-month period | \$250 |
| | Remaining provisions of chapter (see § 102-15): | |
| | First violation | \$100 |
| | Second violation | \$200 |
| Ch. 115, Fire Safety Code | | |
| [Added 6-14-2016 by Ord. No. 16-O-03] | | |
| Chapter | | |
| | First violation | \$100 |
| | Second violation | \$200 |
| | Each additional 24 hours | \$200 |
| Ch. 119, Refuse, Solid Waste, and Special Trash | | |
| [Amended 3-22-2005 by Ord. No. 05-O-1; 1-28-2020 by Ord. No. 20-O-01] | | |
| Chapter | First violation | \$100 |
| | Subsequent violation in 12 months | \$200 |
| Ch. 125, Housing Regulations | | |

| Chapter/Section | Violation | Penalty |
|--|--|---------|
| [Last amended 9-22-2009 by Ord. No. 09-O-08] | | |
| Art. I, General Provisions | | |
| Art. II, Standards | Grading and drainage: | |
| § 125-8I | First violation | \$100 |
| | Each additional 10 days a violation continues is a separate violation. | |
| | Second violation within 12-month period | \$200 |
| | Third violation within 12-month period | \$400 |
| | Subsequent violations within 12-month period | \$500 |
| § 125-10F | Infestation by pests: | |
| | First violation | \$50 |
| | Second violation | \$100 |
| | Each additional 10 days | \$100 |
| § 125-10J | Exterior property maintenance: | |
| | First violation | \$50 |
| | Repeat violation, for every additional 72 hours | \$100 |
| § 125-10K | Driveway entrance: | |
| | First violation | \$50 |
| | Each additional 5 days | \$100 |
| § 125-10L | Off-street parking: | |
| | First violation | \$50 |
| | Repeat violation, for every 5-day period | \$100 |
| § 125-10M | House numbers: | |
| | First violation | \$50 |
| | Repeat violation for every additional 10-day period | \$100 |
| § 125-10N | First violation | \$200 |
| | Repeat violation each additional 7-day period | \$400 |
| § 125-10O | First violation | \$200 |
| [Added 3-22-2011 by Ord. No. 11-O-02] | | |
| | Repeat violation each additional 7-day period | \$400 |
| § 125-10P | First violation | \$200 |
| [Added 4-12-2011 by Ord. No. 11-O-04] | | |
| | Repeat violation each additional 30-day period | \$400 |
| § 125-17 | Firesafety laws: | |

| Chapter/Section | Violation | Penalty |
|---|---|---------|
| § 125-17D | For every 24 hours that violation continues | \$1,000 |
| | Remainder of section: | |
| | First violation | \$100 |
| | Second violation | \$200 |
| | Each additional 24 hours | \$200 |
| § 125-24 | Rodents: | |
| | First violation | \$100 |
| | Repeat violation for every additional 10-day period | \$200 |
| | Remainder of chapter: | |
| | First violation | \$100 |
| | Second violation | \$200 |
| § 125-32 | Failure to give notice | |
| | First violation | \$100 |
| | Each additional calendar day violation continues | \$100 |
| Ch. 127 (Reserved)^[1] | | |
| Ch. 129, Licenses | | |
| § 129-3 | Chapter: | |
| | First citation | \$100 |
| | Second citation | \$200 |
| | Each additional 5 days | \$200 |
| Ch. 132, Litter and Graffiti | | |
| Art. II, Littering [Amended 3-26-2019 by Ord. No. 19-O-07] | | |
| § 132-3 | Initial violation | \$1,000 |
| | Subsequent violation | \$1,000 |
| | Violation of remainder of Article II: | |
| | Initial violation | \$100 |
| | Subsequent violations in 12 months | \$200 |
| Art. III, Graffiti | | |
| § 132-10 | Graffiti prohibited; responsibility | |
| [Amended 10-25-2005 by Ord. No. 05-O-11] | | |
| | Initial and second violation | \$100 |
| | Each additional 14 days | \$200 |
| Art. IV, Shopping Carts [Added 1-12-2010 by Ord. No. 09-O-09] | | |
| § 132-15 | Storage of shopping carts | |
| | Each violation | \$100 |
| Ch. 138, Noise | | |
| § 138-5 | Chapter: | |

| Chapter/Section | Violation | Penalty |
|---|---|---|
| | [Amended 7-12-2016 by Ord. No. 16-O-04] | |
| | Citation | \$500 |
| | Repeat violation within any 12-month period | \$1,000 |
| Ch. 141, Nuisances | | |
| [Last amended 9-8-2020 by Ord. No. 20-O-12] | | |
| Art. I, General | | |
| § 141-1 | During COVID-19 pandemic state of emergency: | |
| | Initial violation | \$1,000 |
| | Subsequent violation | \$1,000 |
| | At all other times | \$50 |
| § 141-3A | Commercial dumpsters: | |
| | Initial violation | \$50 |
| | Second violation | \$100 |
| | Each additional 30 days | \$100 |
| § 141-3B | Residential dumpsters or other receptacles | |
| | Initial violation | \$50 |
| | Each additional 5 days violation continues | \$100 |
| § 141-7 | Signs and advertisements | |
| § 141-7A | Signs or advertisements in City rights-of-way | |
| | Initial violation | \$100 |
| | Subsequent violations in 12 months | \$200 |
| § 141-7B | Signs in a State of Maryland right-of-way | |
| | Per sign | \$25 |
| § 141-9 | Maintenance of rights-of-way: | |
| | Initial violation | \$50 |
| | Second violation | \$100 |
| | Each additional 10 days | \$100 |
| Art. II, Unruly Social Gatherings | | |
| § 141-13 | In any 24-month period, initial violation: | |
| | Responsible person | \$500 |
| | Owner | Warning |
| | Second violation: | |
| | Responsible person | \$1,000 |
| | Owner | \$500 |
| | Third and subsequent violations: | |
| | Responsible party | \$1,000 |
| | Owner | \$500 and suspension or revocation of the occupancy permit for the property, effective at the |

| Chapter/Section | Violation | Penalty |
|--|--|---------------------------------------|
| | | end of the current leasing period |
| | Violation of remainder of chapter: | |
| | Initial violation | \$50 |
| | Second violation | \$100 |
| | Each additional 24 hours | \$100 |
| Ch. 144, Occupancy Permits | | |
| [Amended 4-12-2005 by Ord. No. 05-O-3] | | |
| § 144-3A | Failure to obtain occupancy permit | \$1,000 |
| § 144-3C | Failure to prevent occupancy in absence of valid permit | \$1,000 |
| § 144-3D | Failure to secure a written statement signed by the tenant | \$100 |
| § 144-3E | Removal of placard | \$1,000 |
| § 144-5B | False oath | \$400 |
| § 144-5E | During COVID-19 pandemic state of emergency, failure to disclose identity of occupants | \$1,000 |
| | Failure to disclose identity of occupants at all other times | \$75 |
| § 144-8A | Chapter | \$100 |
| Ch. 148, Peace and Good Order | | |
| § 148-2B | Intimidating or impeding City employees, a misdemeanor offense | \$500 and/or imprisonment for 90 days |
| | Remainder of chapter | \$50 |
| Ch. 151 (Reserved)^[2] | | |
| § 151-6 | Failure to return parking permit | Loss of refund |
| Ch. 157, Property Maintenance | | |
| Art. I, Nonresidential Premises | | |
| § 157-4A(2) | Public nuisance corrective action: | |
| | Failure to act | \$100 |
| | Failure to pay fine | \$200 |
| | Remainder of chapter: | |
| | First violation | \$100 |
| | Second violation | \$200 |
| | Each additional 30 days | \$200 |
| Ch. 161, Recycling and Yard Waste | | |
| [Amended 2-10-2015 by Ord. No. 15-O-01; 1-28-2020 by Ord. No. 20-O-01] | | |
| § 161-3C | First violation | \$25 |
| | Second violation in 12 months | \$50 |
| § 161-6 | Collection by unauthorized person | \$100 |
| | Remainder of chapter | \$25 |
| Ch. 172, Streets and Sidewalks | | |
| [Amended 4-13-2004 by Ord. No. 03-O-13 ^[3]] | | |

| Chapter/Section | Violation | Penalty |
|---|-----------|---------|
| Unauthorized use of public property: | | |
| First violation | | \$50 |
| Each additional 5 days violation continues | | \$100 |
| Violation of remainder of chapter | | \$50 |
| Each additional 15 days violation continues | | \$100 |

Ch. 179, Tree and Landscape Maintenance

[Added 5-10-2022 by Ord. No. 21-O-09]

Article II, Urban Forest Protection

| | | |
|-----------------|--|---------|
| § 179-10 | Removal or pruning greater than 20% of an urban forest tree - each offense | |
| | July 1, 2022 - February 1, 2023 | \$500 |
| | After February 1, 2023 | \$1,000 |
| § 179-12 | Failure to install replacement tree(s) or to pay fee as required | |
| | July 1, 2022 - February 1, 2023 | \$500 |
| | After February 1, 2023 | \$1,000 |

Ch. 184, Vehicles and Traffic

Art. II, Parking Regulations

| | | |
|--|--|-------|
| § 184-9H | Use of an altered City permit | \$100 |
| § 184-10B | Parking in an area marked by a loading zone sign with times: | |
| | Parking violation: | |
| | If paid within 31 calendar days, including date of issue | \$55 |
| | If paid after 31 calendar days, including date of issue | \$65 |
| § 184-15 | Handicapped spaces: | |
| [Amended 7-13-2004 by Ord. No. 04-O-5] | | |
| | Parking violation: | |
| | If paid within 15 calendar days, including date of issue | \$255 |
| | If paid after 15 calendar days, including date of issue | \$265 |
| | Violation of remainder of Article II: | |
| | Parking violation: | |
| | If paid within 15 calendar days, including date of issue | \$35 |
| | If paid within 31 calendar days, including date of issue | \$70 |

| Chapter/Section | Violation | Penalty |
|--|--|--------------|
| | If paid after 31 calendar days, including date of issue | \$80 |
| | Service charge for collection of penalties | As necessary |
| Art. III, Parking Meters | | |
| Violation of Article III [Amended 5-25-2010 by Ord. No. 10-O-03] | Parking meters and pay stations: | |
| | Parking violation: | |
| | If paid within 15 calendar days, including date of issue | \$20 |
| | If paid within 31 calendar days, including date of issue | \$40 |
| | If paid after 31 calendar days, including date of issue | \$50 |
| | Service charge for collection of penalties | As necessary |
| Art. VII, Nonresident Parking Permits | | |
| §§ 184-43 and 184-44 | Maryland vehicle registration or nonresident permit: | |
| | If paid within 15 calendar days, including date of issue | \$55 |
| | If paid within 31 calendar days, including date of issue | \$110 |
| | If paid after 31 calendar days, including date of issue | \$120 |
| Ch. 190, Zoning | | |
| § 190-13 | Signs: | |
| | First citation | \$100 |
| | Each additional day | \$100 |

[1] *Editor's Note: The penalties related to former Ch. 127, Rent Stabilization, added 5-24-2005 by Ord. No. 05-O-2, as amended, were repealed 10-14-2014 by Ord. No. 14-O-10.*

[2] *Editor's Note: The penalties related to former Ch. 151, Permit Parking, were repealed 6-9-2020 by Ord. No. 20-O-08.*

[3] *Editor's Note: This ordinance provided for an effective date of 5-4-2004.*

Chapter 138. Noise

[HISTORY: Adopted by the Mayor and Council of the City of College Park 9-10-1985 by Ord. No. 85-O-5; amended in its entirety 3-24-1998 by Ord. No. 97-O-25. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Dogs and other animals — See Ch. **102**.

Fees and penalties — See Ch. **110**.

Nuisances — See Ch. **141**.

Peace and good order — See Ch. **148**.

§ 138-1. Statement of findings.

The City Council finds that the people of this city have a right to an environment that is free from noise that may jeopardize their health, general welfare or property and that there is a substantial body of knowledge on the adverse effects of excessive noise on the public health, general welfare and property.

§ 138-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANSI

The American National Standards Institute or its successor bodies.

BOARD

The Noise Control Board of the City of College Park, Maryland.

CONSTRUCTION

Temporary activities directly associated with site preparation, assembly, erection, repair, alteration, or demolition on roadways or private property.

[Added 9-24-2019 by Ord. No. 19-O-09]

DAY

The period between 7:00 a.m. and 8:00 p.m., Monday through Friday, and between 8:00 a.m. and 8:00 p.m. on Saturdays, Sundays and holidays.

[Amended 9-24-2019 by Ord. No. 19-O-09]

dBA

The abbreviation for the sound level in decibels determined by the A-weighting network of a sound-level meter or by calculation from octave band or 1/3 octave band.

dBC

The abbreviation for the sound level in decibels determined by the C-weighting network of a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors.

[Added 8-14-2007 by Ord. No. 07-O-16]

DECIBEL (DB)

A unit of measure, on a logarithmic scale, or the ratio of a particular sound pressure squared to a standard reference pressure squared. For the purpose of this chapter, 20 micropascals shall be the standard reference pressure.

DIRECTOR

The Director of the Department of Public Services of the City of College Park.

EXTRANEOUS SOUND

A sound which is relatively intense, intermittent and of short duration and is neither part of the neighborhood residual sound nor the sound source under investigation.

[Added 8-14-2007 by Ord. No. 07-O-16]

NEIGHBORHOOD RESIDUAL SOUND LEVEL

The measured value which represents the sum of the sound from all discrete sources affecting a given site at a given time, exclusive of extraneous sounds, and those from the source under investigation. "Neighborhood residual sound level" is synonymous with "background sound level."

[Added 8-14-2007 by Ord. No. 07-O-16]

NIGHT

The period between 8:00 p.m. and 7:00 a.m. Monday through Friday, and between 8:00 p.m. and 8:00 a.m. on Saturdays, Sundays and holidays.

[Amended 9-24-2019 by Ord. No. 19-O-09]

NOISE

The intensity, frequency, duration and character of sound, including sound and vibration of subaudible frequencies.

NOISE DISTURBANCE

Any noise that is:

[Added 9-24-2019 by Ord. No. 19-O-09]

- A. Unpleasant, annoying, offensive, loud, or obnoxious;
- B. Unusual for the time of day or location where it is produced or heard;
- C. Detrimental to the health, comfort, quality of life, or safety of any individual or to the reasonable enjoyment of property or the lawful conduct of business because of the loudness, duration, or character of the noise; or
- D. Exceeds the objective standards of this chapter.

SOUND AMPLIFIER

Any radio receiving set, microphone, musical instrument, phonograph, speaker(s) or other machine or device for the producing or reproducing of sound.

SOUND LEVEL

The measured level in decibels which represents the summation of the sounds from the sound source under investigation and the neighborhood residual sounds which affect a given place at a given time, exclusive of extraneous sound sources. In decibels, the weighted sound-pressure level measured by the use of a sound-level meter satisfying the requirements of ANSI S1.4, 1971, Specifications for Sound-Level Meters. "Sound level" and "noise level" are synonymous.

[Amended 8-14-2007 by Ord. No. 07-O-16]

SOUND-LEVEL METER

An instrument meeting ANSI S1.4, 1971, Specifications for Sound-Level Meters, comprising a microphone, an amplifier, an output meter and a frequency-weighting network or networks that is used for the measurement of sound-pressure levels in a specified manner. Sound-level meters used to determine compliance with this chapter shall meet or exceed the specifications for Type II sound-level meters.

SOUND PRESSURE

Minute fluctuations in atmospheric pressure which accompany the passage of a sound wave.

SOUND-PRESSURE LEVEL

In decibels, 20 times the logarithm to the base 10 of the ratio of sound pressure to the reference sound pressure of 20 micropascals (20 micronewtons per square meter). In the absence of any modifier, the level is to be that of a root mean square pressure.

§ 138-3. Noise Control Board.

A. Creation and membership.

- (1) There is hereby created a Noise Control Board to assist and advise the City in its noise control efforts; to coordinate the exchange of noise control information with the Maryland Department of Health and Mental Hygiene and other public bodies, agencies or commissions; to hold hearings and make findings; and to promulgate rules to implement this chapter.
- (2) The Noise Control Board shall consist of five members, four of whom shall be appointed by the Council members, one from each of the four election districts, and one of whom shall be appointed by the Mayor.
- (3) In addition to the foregoing membership, there shall be two alternate members appointed at large by the City Council who may attend all Noise Control Board meetings. In the absence of any regular member of the Noise Control Board, the Chairperson may designate one of the alternate members to participate in the hearing of and decision on any matter coming before the Noise Control Board. In the absence of two or more regular members of the Noise Control Board, the Chairperson shall designate one or both of the alternate members to participate in the hearing of and decision on any matter coming before the Noise Control Board.

B. A quorum of the Noise Control Board shall consist of three members.

C. Member terms are governed by Chapter 15, Boards, Commissions and Committees, § 15-2, Terms and appointments.

[Amended 3-10-2020 by Ord. No. 20-O-03]

D. The members of the Noise Control Board shall select from among themselves a Chairperson.

§ 138-4. Effect on state standards; notification of state.

- A. Nothing herein shall be construed as promulgating a standard less stringent than the environmental noise standards and sound-level limits adopted under Title 3 of the Environment Article of the Annotated Code of Maryland, as amended from time to time.
- B. In accordance with Title 3 of the Environment Article of the Annotated Code of Maryland, the City shall send to the Maryland Department of the Environment a copy of each noise control ordinance, rule or regulation that it adopts and identify on each Zoning Map, Comprehensive Plan or other appropriate document the sound-level limits that are adopted.

§ 138-5. Prohibited acts and exemptions.

[Amended 8-14-2007 by Ord. No. 07-O-16; 7-12-2016 by Ord. No. 16-O-04; 9-24-2019 by Ord. No. 19-O-09]

A. It shall be unlawful:

- (1) For any owner or occupant of real property located within the City to make or to generate loud or raucous sound on said property, or to permit any loud or raucous sound to be made or generated on said property, so as to cause unreasonable annoyance or disturbance to others living or located nearby or to create a noise disturbance or permit the creation of a noise disturbance;
- (2) For the owner or occupant of real property located within the City to make any noise or operate any sound amplifier on said property, or to permit any noise to be made or any sound amplifier to be operated on said property, so as to be clearly audible to any person located beyond the property line of such property at a level higher than 65 dBA during the day or 55 dBA during the night, as such sound may be measured from any point along the curb in front of the property line upon which the noise is being generated or at any place on adjacent property, provided that the person measuring the sound shall first obtain the permission of the adjacent property owner to enter upon said property. For any multifamily unit, the sound may be measured from any point outside of the unit from which the noise emanates; and
- (3) For any person to cause, suffer, allow or permit the operation of an amplified source of sound in such a manner that it raises the total sound levels to greater than the following permissible sound level limits, when measured from within a building on an adjacent property.

(a) dBC above neighborhood residual sound level.

[1] Nights: three dBC.

[2] All other times: six dBC.

- (4) A person may not cause or permit the emission of prominent, discrete tones and periodic noises which exceed a level which is 5 dBA lower than the applicable level listed in this section.
- (5) A person may not cause or permit, beyond the property line of a source, vibration of sufficient intensity to cause another person to be aware of the vibration by such direct means as sensation of touch or visual observation of moving objects.
- (6) A person may not operate or permit to be operated an off-road internal combustion engine-powered recreational vehicle, including, but not limited to, a dirt bike, an all-terrain vehicle, a go-cart, a snowmobile, or a similar vehicle, on private property closer than 300 feet to a neighboring residence or the associated curtilage without the written permission of the affected resident, unless it can be demonstrated to the City that the vehicle can be operated within the noise limits specified in this section.
- (7) A person may not cause or permit noise levels emanating from construction or demolition site activities which exceed:
 - (a) Ninety dBA during daytime hours;
 - (b) The level specified in this section during nighttime hours.
- (8) For the owner or occupant of real property located within the City to permit guests or invitees to such property to make noise on adjacent property, whether public or private, where that noise, if made or generated on the property itself, would violate any provision of Subsection **A** of this section.

B. It shall be unlawful for the nonresident owner of a property to permit the occupants of such property to violate the provisions of Subsection **A** of this section. The owner shall not be deemed to have violated this subsection unless the owner, or owner's agent:

- (1) Has received notice from any source, that a current or prior occupant of such property has, or is alleged to have, previously engaged in conduct that violates this section regardless of whether a finding of a violation by the Noise Control Board or by a court of competent jurisdiction was made; or

- (2) Has failed to take action reasonably calculated under the circumstances to prevent a violation of this section from occurring or recurring.
- C. A violation of this section shall be a municipal infraction, subject to the fine imposed by Chapter **110**, Fees and Penalties.
- D. Each repeat violation within a twelve-month period shall give rise to a charge as set forth in Chapter **110**, Fees and Penalties.
- E. Exemptions.
 - (1) The provisions of this section may not apply to devices used solely for the purpose of warning, protecting, or alerting the public, or some segment thereof, of the existence of an emergency or hazardous situation.
 - (2) Only the following are exempted from the provisions of this section:
 - (a) Household tools and portable appliances in normal usage during daytime hours;
 - (b) Lawn care and snow removal equipment (daytime only) when used and maintained in accordance with the manufacturer's specifications;
 - (c) Blasting operations for demolition, construction, and mining or quarrying (daytime only);
 - (d) Aircraft and related airport operations at airports licensed by the Maryland Aviation Administration;
 - (e) Motor vehicles on state lands under the jurisdiction of the Department of Natural Resources;
 - (f) Emergency operations;
 - (g) Pile driving equipment during the daytime hours of 8:00 a.m. to 5:00 p.m.;
 - (h) Sound, except those sounds that are electronically amplified, between 7:00 a.m. and 12:00 midnight, created by:
 - [1] Sporting events (except trapshooting, skeet shooting, or other target shooting);
 - [2] Entertainment events;
 - [3] Other public gatherings operating under and within the restrictions set by a permit or permission of the City; and
 - [4] Athletic contests, amusement parks, carnivals, fairs at fairgrounds, sanctioned auto racing facilities, parades, and public celebrations.
 - (i) Rapid rail transit vehicles and railroads;
 - (j) Construction and repair work on public property;
 - (k) Air conditioning or heat pump equipment used to cool or heat housing on residential property. For this equipment, a person may not cause or permit noise levels which exceed 70 dBA for air conditioning equipment and 75 dBA for heat pump equipment;
 - (l) Household pets on residential property that are maintained in accordance with local zoning requirements;
 - (m) Trash collection operations between the hours of 7:00 a.m. and 8 p.m., Monday through Friday, and between 8:00 a.m. and 8:00 p.m. on Saturdays, Sundays and holidays.

§ 138-6. Violations and penalties.

[Amended 2-22-2000 by Ord. No. 00-O-2; 8-14-2007 by Ord. No. 07-O-16]

- A. Code Enforcement or Law Enforcement Officer. When a City Code Enforcement Officer, or a state, county, University of Maryland or other law enforcement officer chosen by the City, determines, based upon the results of a test conducted using a calibrated sound-level meter, that noise is being or has been generated in violation of § **138-5A(2), (3), (4), (5), (6) or (7)** of this chapter, a municipal infraction citation shall be issued to the violator(s) in accordance with the provisions of § 6-103 of the Local Government Article, of the Annotated Code of Maryland. In the event that more than one owner and/or more than one occupant of the real property is alleged to have violated the provisions of this chapter, a municipal infraction citation may be issued to each alleged violator.

[Amended 7-12-2016 by Ord. No. 16-O-04; 9-24-2019 by Ord. No. 19-O-09]

B. Noise Control Board.

- (1) When two or more City residents submit written complaints that noise is being or has been generated in violation of § **138-5A(1), (5), (6) or (8)** of this chapter, which complaints shall be delivered to the City Clerk, or postmarked, within 15 days of the alleged violation, and request a hearing before the Noise Control Board, the Director shall:

[Amended 9-24-2019 by Ord. No. 19-O-09]

- (a) Schedule a hearing before the Noise Control Board within 30 days of receipt of complaints referred to in this section; and

- (b) Give notice of the alleged violation to the owner and the occupant(s) of the property upon which such violation has allegedly occurred.

- (2) When a violation of § **138-5** of this chapter has been alleged in accordance with the provisions of Subsection **B** of this section, the Noise Control Board shall conduct a hearing for the purpose of determining whether such violation has occurred.

- (3) When the Noise Control Board determines, in accordance with the provisions of § **138-8** of this chapter, that a violation of § **138-5** has occurred, the Director shall notify the violator of the determination of the Noise Control Board that a violation has occurred and shall cause a municipal infraction citation to be issued to the violator, in accordance with the provisions of § 6-103 of the Local Government Article, Annotated Code of Maryland.

[Amended 9-24-2019 by Ord. No. 19-O-09]

C. (Reserved)

- D. The City may seek court action to abate any noise nuisance in lieu of or in addition to any other enforcement remedies that may be available pursuant to this chapter.

- E. In addition, the Public Services Director shall schedule a show-cause hearing before the College Park Advisory Planning Commission as to why the City occupancy permit for the property should not be revoked for three or more violations of the provisions of this chapter that have been admitted or that have been determined in court within any twelve-month period, and may otherwise request such a hearing for violations of this chapter at his/her discretion.

[Amended 7-12-2016 by Ord. No. 16-O-04; 9-24-2019 by Ord. No. 19-O-09]

§ 138-7. Notice.

- A. The notice required to be given by the Director in accordance with § **138-6B(1)(b)** of this section shall:

[Amended 2-22-2000 by Ord. No. 00-O-2]

- (1) Be in writing;

- (2) Include a statement of the reasons why it is being issued;

- (3) Be served upon the owner or his agent and the occupant of the property upon which the alleged violation occurred;
 - (4) Include a statement that the hearing referred to in § **138-6B(1)(a)** of this section will be held before the Noise Control Board on a specified date and at a specified time for the purpose of determining whether a violation of this chapter has occurred.
- B. Service of the notice on the owner or his agent and the occupant of the property pursuant to Subsection **A(2)** of this section shall be made by certified mail, return receipt requested. In the event that such notice is returned undelivered, service shall be sufficient if mailed by regular mail and posted on the property where the violation is alleged to have occurred.

§ 138-8. Proceedings of Noise Control Board.

- A. A hearing of the Noise Control Board conducted pursuant to § **138-6B** of this chapter shall be open to the public; however, members of the public shall not participate in said hearing unless designated as witnesses by either the complainant(s) or the respondent(s), unless such participation is specifically requested by a member of the Noise Control Board.
- B. The proceedings of the Noise Control Board shall be taperecorded and the recording of the proceedings shall be retained by the City for a period of not less than one year. The contents of the tape-recording shall not be transcribed, unless otherwise required by law or requested by the Noise Control Board.
- C. Minutes of the proceedings of the Noise Control Board shall be taken by the Secretary, when present, and shall be approved at the next meeting of the Noise Control Board.
- D. Notwithstanding the provisions of Subsection **A** of this section, the Noise Control Board may, in its sole discretion, recess into closed session as part of its deliberative process with respect to alleged violations of § **138-5** of this chapter prior to announcing its decision or determination and to consider the substance of any rules and regulations to be promulgated pursuant to Subsection **E** of this section, provided that:
 - (1) The exercise of the authority to deliberate in a closed session shall require a motion and an affirmative vote thereupon by a majority of the members of the Board present and eligible to vote;
 - (2) Notwithstanding the provisions of Subsection **B** of this section, the proceedings of the Noise Control Board after an affirmative vote to recess into closed session shall not be tape-recorded; however, minutes of the closed session shall be kept which shall not be open to public inspection unless a majority of the members of the Noise Control Board votes in favor of disclosing said minutes; and
 - (3) Following its deliberations, the members of the Noise Control Board shall reconvene in open session for the purpose of entertaining a motion with respect to the Board's determination as to whether there has been a violation of this chapter. Where the property upon which the violation in question allegedly occurred is occupied by a person other than the owner of such property, the Board's determination shall separately and specifically address whether a violation has been committed by both the owner and the occupant.
- E. The members shall adopt such other and additional rules and regulations as may be necessary with respect to procedural matters for the conduct of the hearings required by § **138-6B** of this chapter.

§ 138-9. Imposition of a fine by Noise Control Board.

- A. Except as set forth in Subsection **C** of this section, in the event that the Board finds that a violation of § **138-5** has occurred, it shall impose the fine set forth in Chapter **110**, Fees and Penalties.
[Amended 2-22-2000 by Ord. No. 00-O-2]
- B. In the event that the Board finds that the owner and the occupant of real property have each violated this chapter, the Board shall impose a fine as set forth in Chapter **110**, Fees and Penalties, upon the owner and the occupant.
[Amended 2-22-2000 by Ord. No. 00-O-2]
- C. In the event that there are more than one owner and/or more than one occupant, the fine shall be imposed upon each owner and upon each occupant who has been found in violation of this chapter, except that in the event that there is more than one occupant, the fine shall be divided proportionately among those occupants who have been found to have violated this chapter, with the amount of the fine imposed on each occupant rounded to the nearest dollar; provided, however, that in the event that the property is leased to a corporate entity, the fine for a violation by an occupant shall be imposed upon such corporate entity.
- D. If a violation is a first offense and is not egregious, the following mitigating factors may be considered by the Board to warrant a reduction in the amount of the fine to be imposed:
[Amended 7-12-2016 by Ord. No. 16-O-04]
- (1) The person subject to a fine has taken action reasonably calculated under the circumstances to prevent or mitigate future violations of this chapter, is remorseful and has a present demeanor that demonstrates a sincere desire to prevent future violations of this chapter;
 - (2) The person subject to a fine has apologized, prior to the hearing, to the person(s) who filed the complaint and other known persons who were disturbed by the violation.
 - (3) The violation was not lengthy in duration.
- E. For each factor set forth in Subsection **D** above which is satisfied by the evidence, the Board may reduce the fine set forth in Chapter **110**, Fees and Penalties, by \$100. In any event, the minimum fine shall be \$200.
[Amended 7-12-2016 by Ord. No. 16-O-04]

§ 138-10. Copies of provisions to be provided.

[Amended 2-22-2000 by Ord. No. 00-O-2]

Owners of rental housing shall ensure that a copy of this chapter or a housing rights and responsibilities publication produced by the city is furnished to each tenant. The city shall make available a copy of this chapter or the housing rights and responsibilities publication to each applicant for an annual occupancy permit.

Chapter 141. Nuisances

Article II. Unruly Social Gatherings

[Adopted 9-24-2019 by Ord. No. 19-O-13]

§ 141-12. Definitions.

In this article, the following terms shall have the meanings indicated.

ALCOHOLIC BEVERAGE

As defined in § 1-101 of the Alcoholic Beverages Article of the Annotated Code of Maryland.

ILLEGAL CONTROLLED SUBSTANCE

A drug or substance, the possession and use of which is regulated under the State Controlled Dangerous Substances Act.^[1] The term does not include any drug or substance for which a person has a valid prescription issued by a licensed medical practitioner authorized to issue such a prescription or is otherwise authorized by law.

PROPERTY OWNER

Any person who owns a property or has charge, care or control of a property as a legal owner

RESIDENCE OR OTHER PRIVATE PROPERTY

A residential property, including without limitation a detached, attached, or semidetached single-family dwelling, a row home, townhome, apartment, condominium, or other dwelling unit, or a yard or curtilage of a residence, a hall, meeting room, hotel or motel room, whether occupied on a temporary or permanent basis, whether occupied as a dwelling, party or other social function, and whether owned, leased, rented, or used with or without compensation, including contiguous properties, and any buildings, structures or other improvements situated thereon or affixed thereto.

RESPONSIBLE PERSON

An owner of, or occupant with a right of possession in, the residence or other private property on which an unruly social gathering is conducted. A responsible person for the unruly social gathering need not be physically present at such gathering.

UNRULY SOCIAL GATHERING

A party, event, or assemblage of eight or more persons at a residence or other private property where:

- A. Alcoholic beverages are being furnished to, consumed by, or in possession of any underage person in violation of state law; or
- B. Behavior or conduct is occurring that results in a substantial disturbance of the peace and quiet enjoyment of private or public property, which may include the following:

(1) Excessive noise as prohibited in § 138-5 of the City Code;

- (2) Excessive traffic that is significantly above and beyond the normal amount of pedestrian or vehicle traffic for the day, date, and time of day for the neighborhood;
- (3) Use of an illegal controlled substance by any person at the gathering;
- (4) Obstruction of public streets or the presence of unruly crowds that have spilled onto public streets;
- (5) Public drunkenness or unlawful consumption of alcohol or alcoholic beverages;
- (6) Assaults, batteries, fights, or other disturbances of the peace;
- (7) Vandalism of public or private property;
- (8) Public urination or defecation;
- (9) Littering; or
- (10) Other conduct which constitutes a threat to the public safety, quiet enjoyment of residential or other private property, or the general welfare.

[1] *Editor's Note: See the Criminal Law Article of the Annotated Code of Maryland, § 5-101 et seq.*

§ 141-13. Unruly social gatherings prohibited.

An unruly social gathering is declared a nuisance for purposes of this chapter. It is unlawful for a property owner or any responsible person to conduct, cause, aid, allow, permit, or condone an unruly social gathering at a residence or other private property.

§ 141-14. Violations and penalties.

- A. A violation of § **141-13** is subject to a municipal infraction with a penalty as provided in Chapter **110** of the Code and is a separate offense from any other violations of law or offenses that occur during an unruly social gathering.
- B. A municipal infraction based only on excessive noise will not be issued under this section if one is issued under § **138-6** of the City Code for the same occurrence. Excessive noise will not be cited as part of a municipal infraction issued under this section unless an accurate sound-level meter reading for the same occurrence is not feasible or practicable.
- C. A Code Enforcement Officer or peace officer who determines that an unruly social gathering exists in violation of § **141-13** may issue a municipal infraction for the violation to all identified responsible persons. For a first offense within any twenty-four-month period, an owner will be issued a warning. For a second or subsequent offense in a twenty-four-month period, the owner is subject to a municipal infraction. For a third offense in a twenty-four-month period, the owner is also subject to suspension or revocation of any occupancy permit for the residence or other private property.
- D. The Public Services Director may schedule a show-cause hearing before the College Park Advisory Planning Commission as to why the City occupancy permit for the property should not be suspended for one or more years, or revoked, for three or more violations of the provisions of this article within any twenty-four-month period.



University Policies

[Section V: Student Affairs](<https://policies.umd.edu/student-affairs>)

Policy Number: V-1.00(B)

UNIVERSITY OF MARYLAND CODE OF STUDENT CONDUCT

(Approved by the Board of Regents January 25, 1980, Amended September 4, 1990; December 18, 2001; April 22, 2004; November 18, 2005; April 5, 2006; March 10, 2011; January 17, 2012; February 20, 2013; May 9, 2013; Technical amendments September 2, 2015; Amended effective January 1, 2018; technical amendments approved by the President effective August 14, 2020)

This *Code* does not apply to matters of student academic integrity. The policy and procedures document applicable to student academic integrity is the University of Maryland Code of Academic Integrity (III-1.00[A]) found online at

<https://policies.umd.edu/assets/section-iii/III-100A.pdf>(<https://policies.umd.edu/assets/section-iii/III-100A.pdf>).

This *Code* does not apply to student sexual misconduct. The policy and procedures document applicable to student sexual misconduct is the University of Maryland Policy and Procedures on Sexual Harassment and other Sexual Misconduct (VI-1.60[A]) (Sexual Misconduct Policy) found online at <https://policies.umd.edu/assets/section-vi/VI-160A.pdf>(<https://policies.umd.edu/assets/section-vi/VI-160A.pdf>).

INTRODUCTION

1. The *Code of Student Conduct* was created to ensure the safety and security of the University community. The Code, administered by the Office of Student Conduct, seeks to balance the rights and responsibilities of all individuals within the community, and uphold the integrity and values of the University of Maryland. Reasonable efforts are made to educate and support students in reaching their academic and personal goals while fostering a climate of accountability and responsibility for one's actions. The *Code* outlines behaviors that are inconsistent with University standards and expectations and sets forth applicable procedures and potential sanctions governing *Code* violations.

The Office of Student Conduct

2. The Office of Student Conduct administers matters involving student discipline. The office is led by the Director of Student Conduct. The Director of Student Conduct grants at their discretion to the Office of Rights and Responsibilities the authority to administer matters involving student discipline, which occur in or around the residence halls and/or on-campus University-affiliated housing owned by, leased from, operated in cooperation with, or supervised by the University. References in this *Code* to the Director of Student Conduct include the Director and designees. The responsibilities of the Office include:

- a. Determining the disciplinary charges to be filed in accordance with this *Code* and the *Code of Academic Integrity*;
- b. Interviewing and advising parties involved in disciplinary proceedings;
- c. Supervising, training, and advising all conduct boards;
- d. Reviewing the decisions of all conduct boards;
- e. Maintaining all student disciplinary records;
- f. Developing procedures for conflict resolution;

g. Resolving allegations of student misconduct; and

h. Administering duties set forth in the Sexual Misconduct Policy and in the University of Maryland Non-Discrimination Policy and Procedures (VI-1.00[B]) (Non-Discrimination Policy) found online at [\[https://policies.umd.edu/assets/section-vi/VI-100B.pdf\]](https://policies.umd.edu/assets/section-vi/VI-100B.pdf)(<https://policies.umd.edu/assets/section-vi/VI-100B.pdf>), as related to allegations against students.

STUDENT RIGHTS AND RESPONSIBILITIES

Standards

3. When students choose to enroll at the University of Maryland, they accept the rights and responsibilities of membership in the University community both on and off campus. Students at the University of Maryland are expected to uphold the values of the University by conducting themselves in accordance with University policies and procedures.

Student Rights

4. The Office of Student Conduct provides a fair and balanced internal University process for resolving allegations of student misconduct. Students will be treated fairly and with dignity and respect without regard to race, color, sex, gender identity or expression, sexual orientation, marital status, age, national origin, political affiliation, physical or mental disability, religion, protected veteran status, genetic information, personal appearance, or any other legally protected status, as outlined in the Non-Discrimination Policy.

Student Responsibilities

5. Balancing students' rights with their responsibilities as members of the University community is imperative to creating mature and engaged citizens. All students are expected to understand and follow University policies and procedures as well as to comply with applicable federal, state, and local laws. Due to the high expectations the University has of its community members, responsibilities set forth in University policies may exceed federal, state, or local requirements.

6. University email is the primary means by which the Office of Student Conduct communicates with students. Students are responsible for reading all official communications delivered to their University email address and are advised to check their email regularly for University communications, including those from the Office of Student Conduct. Standard of Evidence

7. The focus of disciplinary proceedings is to resolve allegations of student misconduct. Students have the right to be notified of the allegations and specific charges against them, to have access to the information underlying the charges, and to have an opportunity to respond. The preponderance of the evidence standard will be used to determine responsibility for Code violations. Preponderance of the evidence means that based on the totality of the evidence, it is more likely than not that the violation occurred. Sanctions are imposed according to the nature and severity of the violation.

Definitions

8. When used in the context of this Code, the terms below mean the following:

a. "University" means the University of Maryland, College Park.

b. "Student" means either a person enrolled in or auditing courses at the University on a full-time or part-time basis at the time the alleged violation occurred or an individual who may not be enrolled for a particular term at the time the alleged violation occurred but has a continuing relationship with the University.

c. The term "University premises" means buildings or grounds owned, leased, operated, controlled, or managed by the University.

d. The term "University-sponsored activity" means any activity on or off campus which is initiated, aided, authorized, or supervised by the University.

- e. The term “student organization” means a group of persons who are associated with each other and who have complied with University requirements for student organization registration.
- f. The term “student group” means a number of persons who are associated with each other but who do not have status as an officially recognized student organization.
- g. “Referral” means a report, complaint, or allegation of misconduct against a student, student group, or student organization.
- h. “Complainant” refers to an individual(s) who has referred a student, student group, student organization, or incident to the Office of Student Conduct based on an alleged violation of the Code.
- i. “Respondent” refers to a student, student group, or student organization alleged to have committed a violation of this Code.
- j. “Mitigating factors” may be considered in determining sanctions. Factors include, but are not limited to, the present demeanor and past disciplinary record of the Respondent and any steps the Respondent has taken to address their behavior.
- k. “Aggravating factors” may be considered in determining sanctions. Factors include, but are not limited to, the present demeanor and past disciplinary record of the Respondent, as well as the nature of the offense and the severity of any resulting damage, injury, or harm.

Jurisdiction

9. This Code covers conduct by a student, student group, or student organization that occurs:

- a. on University premises; or
- b. at University-sponsored activities; or
- c. not on University premises, if:
 - I. the conduct would constitute a violation of this Code had it occurred on University premises; and
 - II. if the Director of Student Conduct determines that the conduct affects the safety of the University community or the orderly operation of the University.

PROHIBITED CONDUCT

10. This list of prohibited conduct is provided to inform students, student groups, and student organizations of behaviors that are not permitted. The list should be read broadly and is not designed to define misconduct in exhaustive terms. Attempts to commit acts prohibited by this *Code* may be sanctioned to the same extent as completed violations. The University considers prohibited conduct motivated in whole or in part because of an individual or group characteristic or status, or the perception of an individual or group characteristic or status, protected by the University’s Non-Discrimination Policy to be an aggravating factor, which may subject the student, student group, or student organization to a more severe sanction than would be imposed in the absence of such motivation.

a. Offenses Against Persons

- 1. Intentionally or recklessly causing physical harm to any person, or intentionally or recklessly causing reasonable apprehension of such harm.
- 2. Engaging in hazing activities as prohibited by the University of Maryland Policy and Procedures on Hazing (V-1.00[K]) found online at <https://policies.umd.edu/assets/section-v/V-100K.pdf>.
- 3. Intentionally and substantially interfering with the lawful freedom of expression of others. (Demonstrations, rallies, leafletting, and equivalent activity are addressed by the University Guidelines for Demonstrations and Leafletting.)

b. Alcohol and Other Drug Offenses

“Controlled substance” and “illegal drugs” are defined by Maryland and federal law.

1. Unauthorized distribution of any controlled substance or illegal drug, or the production, manufacture, or possession of any controlled substance or illegal drug for purposes of unauthorized distribution.
2. Unauthorized use, production, manufacture, or possession of any controlled substance or illegal drug.
3. Providing alcohol or alcoholic beverages to a person under the legal age of consumption or possession.
4. The illegal or unauthorized consumption, possession, or sale of alcohol or alcoholic beverages.
5. Operating a motor vehicle while intoxicated or impaired by alcohol or other drugs.

c. Property Offenses

1. Theft of property, services, or resources, or the unauthorized use of services to which one is not entitled.
2. Knowingly possessing stolen property.
3. Intentionally or recklessly destroying, damaging, vandalizing, tampering with, or defacing University property or the property of others.
4. Trespassing on or the unauthorized use of University facilities, property, or resources.

d. Community Offenses

1. Unauthorized on-campus or illegal off-campus use, possession, or storage of any weapon or explosive. The term “weapon” includes any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, pellet guns, switchblade knives, and knives with blades five (5) or more inches in length.
2. Intentionally initiating or causing any false report, warning, or threat of fire, explosion or other emergency.
3. Rioting, assault, theft, vandalism, fire setting, or other serious misconduct i) related to a University-sponsored event, occurring on- or off-campus, that results in harm to persons or property; or ii) which otherwise poses a threat to the stability of the campus or campus community. Such conduct may result in disciplinary action regardless of the existence, status, or outcome of any criminal charges in a court of law.
4. Engaging in disorderly or disruptive action that interferes with University or community activities, including but not limited to studying, teaching, research, and University administration.
5. Intentionally or recklessly misusing or damaging fire safety equipment.
6. Unauthorized setting of fires on University property.
7. Unauthorized use or possession of fireworks.
8. Public urination or defecation.

e. Offenses Against University Operations

1. Intentionally furnishing false information to the University.
2. Making, possessing, providing, or using any forged, altered, or falsified University document.

3. Failure to comply with a directive of University officials, including law enforcement officials, acting in the performance of their duties.
4. Knowingly violating the terms of any disciplinary sanction imposed in accordance with this Code or by the Office of Student Conduct in accordance with other University policies.

f. Other Offenses

1. Conviction, a plea of no contest, acceptance of responsibility or acceptance of sanctions in state or federal court for a crime (other than a minor traffic offense) not otherwise prohibited by this Code.
2. Making, possessing, providing, or using any forged, altered, or falsified instrument of identification.
3. Violation of published University regulations or policies, including but not limited to, rules addressing conduct in the residence halls, use of vehicles, campus demonstrations, misuse of identification cards, acceptable use of technology resources, non-discrimination, and access to University resources.

STUDENT CONDUCT PROCESS

11. This section provides general information and an overview of the student conduct process. Not all cases are the same, and allegations differ in their severity and complexity. However, the Office of Student Conduct endeavors to treat similar facts and circumstances consistently.

12. Certain conduct may constitute both a violation of law and a violation of this *Code*. Therefore, students may be accountable to both criminal authorities and to the University as a result of the same conduct or incident. The University's student conduct process differs from any legal civil or criminal proceedings. Disciplinary action at the University will normally move forward before or during criminal proceedings, and will not be subject to challenge on

the grounds that criminal charges involving the same incident have been dismissed or reduced. The same conduct may also result in civil litigation. Civil litigation is separate and independent from any University process under this *Code*, and the resolution of any civil legal action by settlement or other means will not resolve a University action for violation of the *Code*.

Referral

13. Anyone may refer a student, student organization, or student group suspected of violating this Code to the Office of Student Conduct. Written referrals are preferred. The Office of Student Conduct will review all referrals for reasonable cause; this means that the Office will review the allegations to determine whether there is evidence which, if true, would amount to conduct in violation of the Code. If reasonable cause is established, the Complainant should expect to be a participant and provide pertinent information in any future proceedings. In the absence of a determination that there is reasonable cause to proceed, the case may be dismissed.

14. There are no time restrictions on reporting potential Code violations to the Office of Student Conduct. However, individuals are encouraged to report incidents as soon as they occur so that witnesses can be identified and important information and documents preserved, in the event there is a reasonable cause determination and the Office determines to move forward.

15. A Complainant may remain anonymous; however, anonymity may limit the University's ability to investigate and respond to a complaint. Retaliation against anyone for reporting an alleged violation of this Code is strictly prohibited and persons who retaliate will be considered for further disciplinary action.

Interim Measures

16. Based on the nature and circumstances of the referral, the Director of Student Conduct, in consultation with appropriate University administrators, may authorize interim measures to ensure the safety and well-being of the parties and others in the University community, as appropriate.

- a. Interim Suspension: The Director of Student Conduct may suspend a student for an interim period pending resolution of disciplinary proceedings. This interim suspension may become effective immediately without prior notice whenever there is evidence that the continued presence of the student in the University community poses a significant threat to themselves or others, or to the stability and continuation of normal University operations. The student will be offered an opportunity to meet with the Director of Student Conduct to review the reliability

of the information within five (5) business days from the effective date of the interim suspension. However, there is no guarantee that the student will be permitted to return to campus.

- b. Cease and Desist: A cease and desist notice may be issued to student organizations or student groups whose continued operation poses a threat to the health and safety of the University community. Directives to cease and desist may be effective immediately without prior notice if there is evidence that the continued presence and operation of the student organization or student group poses a substantial threat to the health and safety of their members or others in the community (e.g., hazing allegation).
- c. No Contact Directives: No Contact Directives are effective immediately without prior notice whenever there is evidence that the continued interaction of the student with other particular members of the University community poses a substantial threat to themselves or others, or to the stability and continuation of normal University operations. A No Contact Directive applies to both the Respondent and Complainant and prohibits contact between the two by any means.

Preliminary Interview

17. After establishing reasonable cause, the Office of Student Conduct or the Office of Rights & Responsibilities will contact the Respondent and request that they attend a Preliminary Interview. The purpose of the Preliminary Interview is to review the allegations with the Respondent and to assist the Respondent in understanding the student conduct process. Respondents may discuss the alleged incident during the Preliminary Interview; however, they are not required to do so. Relevant information shared in this meeting may become part of the case file for future proceedings.

18. The officers, leaders, or any identifiable spokespersons for the student group or student organization may be directed by the Director of Student Conduct to act on the group or organization's behalf as the Respondent.

19. The Director of Student Conduct may initiate, defer, or dismiss disciplinary charges against a Respondent regardless of whether they choose to attend or discuss the alleged incident during the Preliminary Interview. A deferral of disciplinary proceedings may not exceed a period of 90 days.

Resolution Procedures

20. Staff members in the Office of Student Conduct will review referrals to determine whether the alleged misconduct might result in suspension or expulsion from the University or University housing termination. Alleged misconduct which results in or could have foreseeably resulted in significant injury to persons or damage to property, or which otherwise poses a substantial threat to the stability and continuation of normal University or University-sponsored activities, may result in a student's suspension or expulsion from the University or University housing termination. Students who face potential suspension or expulsion from the University or University housing termination have the right to a hearing before the appropriate conduct board, or may waive their right to a student conduct hearing and proceed to have their case resolved in a Disciplinary Conference. Respondents who waive their right to a hearing before a Student Conduct Board and opt for a Disciplinary Conference are subject to the full range of sanctions and also waive their right to an appeal.

21. Respondents do not have a right to a hearing before an appropriate conduct board in cases that do not have the potential to result in a student's suspension or expulsion from the University. Such cases are resolved in a Disciplinary Conference.

Disciplinary Conference

22. A Disciplinary Conference is a resolution meeting between the Respondent and the designee(s) assigned by the Director of Student Conduct who is (are) deciding the case. Respondents participating in Disciplinary Conferences receive the following procedural protections:

- a. Written notice of the charges at least three (3) days prior to the conference;
- b. Reasonable access to the case file prior to and during the conference;
- c. An opportunity to respond to the allegations and bring forward any evidence, witnesses, or information on their behalf; and
- d. The option to be accompanied by an Advocate or Advisor of their choosing as outlined in the section titled "Role of Advocate and Advisor."

23. The Director of Student Conduct may refer complex or contested cases to a Disciplinary Conference Board for resolution. A Disciplinary Conference Board consists of two students from the University Student Judiciary and a staff member from the Office of Student Conduct.

Student Conduct Boards and the Hearing Process

24. In Student Conduct Board hearings, a designated panel of board members hears a case, determines facts, renders a decision, and recommends sanctions to the Office of Student Conduct.

a. University Student Judiciary Boards

Students play an integral role in the student disciplinary process. The University Student Judiciary is a diverse group of students specifically trained in the Code and matters related to the University's Student Conduct Board process, and operates under the direction of the Office of Student Conduct. Students are selected to assume positions of responsibility in the University Student Judiciary for the express purpose of providing student perspective as a part of the student conduct process. Final authority in disciplinary matters, however, is vested in the University administration and in the Board of Regents. Students selected for Student Conduct Boards are selected according to procedures developed by the Director of Student Conduct.

1. Resident Board – is a panel of five students from the University Student Judiciary which hears cases involving alleged violations of the Code when the incident occurs in or around the residence halls and/or on-campus University-affiliated housing owned by, leased from, operated in cooperation with, or supervised by the University.
2. Central Board – is a panel of five students of the University Student Judiciary which hears cases involving violations of this Code which are not referred to Resident Boards or resolved in Disciplinary Conferences.
3. Ad-Hoc Board – is a panel appointed at the discretion of the Director of Student Conduct when a Resident Board or the Central Board is unable to convene in a timely manner. An Ad-Hoc Board shall be comprised of three members, including at least one student.

25. All Student Conduct Board hearings, with the exception of an Ad-Hoc Board hearing, are facilitated by a Presiding Officer. The Presiding Officer is a non-voting member of the Board whose role is to exercise control over the proceedings for the purpose of time management and an orderly completion of the hearing. The Presiding Officer may be a trained member of the University Student Judiciary or a staff designee as determined by the Director of Student Conduct.

26. All Student Conduct Boards may be advised by a University staff member as designated by the Director of Student Conduct. A Board Advisor is a non-voting member of the Board and has all the privileges of Board members, including the ability to comment on questions of procedure and on the relevance of evidence, and will otherwise assist in the administration of the hearing.

27. University Student Judiciary members charged with a violation of this Code, a University policy, or with a criminal offense may be suspended from their University Student Judiciary positions by the Director of Student Conduct while charges are pending. Students found responsible for Code violations or convicted of criminal offenses may be removed from further participation in the University Student Judiciary by the Director. Additional grounds and procedures for removal may also be set forth in the bylaws of the University Student Judiciary.

28. Community Advocates are University community members who are trained to assist or represent the Complainant and present disciplinary cases at Student Conduct Board hearings. Their responsibilities include preparing a formal charge for alleged violations of the Code on behalf of the University community, providing brief opening and closing statements, presenting evidence, and other duties as requested by the Student Conduct Board. Community Advocates perform their responsibilities under the oversight of a Campus Advocate designated by the Office of Student Conduct.

29. In all Student Conduct Board hearings, the burden of proof rests upon the Complainant, Campus Advocate, or Community Advocate to establish that it is more likely than not that a Respondent committed a violation of this Code.

Hearing Procedures

30. The following procedural guidelines shall be applicable in disciplinary hearings:

- a. Written notice of the specific charges and a hearing date are provided to the Respondent at least five (5) business days in advance of the hearing. Respondents will have reasonable access to their case file maintained in the Office of Student Conduct prior to their hearing. Hearing dates are scheduled in consultation with the parties whenever possible.
- b. Respondents who fail to appear at a hearing after proper notice will have a plea of “no contest” to the charges against them entered into the record on their behalf. A decision may be made without the participation or presence of the Respondent at a hearing.
- c. All hearings are closed to the public. Requests for exceptions must be approved at least two (2) business days in advance of the hearing by the Director of Student Conduct.
- d. Hearings may be recorded or transcribed by the Office of Student Conduct, and no other recordings will be permitted. Recordings and transcripts are maintained in the Office of Student Conduct for the purpose of permitting a review by appellate bodies and by staff members in the Office of Student Conduct.
- e. Prior to the start of a hearing, any party may challenge a Student Conduct Board member based on a potential conflict of interest. Board members may be disqualified due to a conflict of interest upon majority vote of the remaining members of the Board conducted by secret ballot, or by the decision of the Director of Student Conduct.
- f. Formal rules of evidence are not applicable to Student Conduct Board proceedings. The Presiding Officer of each Student Conduct Board shall admit all matters into evidence which reasonable persons would accept as relevant, significant, and important to the issues being decided in the case. Unnecessarily repetitious, irrelevant, or prejudicial evidence may be excluded at the discretion of the Presiding Officer.
- g. Both parties will be provided an opportunity to question witnesses who testify at hearings.
- h. All parties and witnesses will be excluded during Student Conduct Board deliberations. The parties will be informed when a determination of responsibility has been made, and will be given an opportunity to submit evidence or make statements concerning appropriate sanctions. At this time, character witness statements or letters of reference may be provided to the Student Conduct Board. The Student Conduct Board shall hold a separate session to review sanction recommendations, during which it may consider aggravating and mitigating factors. The past disciplinary record of a student shall not be provided to the Student Conduct Board prior to a determination of responsibility.
- i. Final decisions of all Student Conduct Boards shall be by a majority vote of the members present and voting. A tie vote on a determination of responsibility for a Code violation will result in a finding of “not responsible.”
- j. Final decisions of all Student Conduct Boards, except Disciplinary Conference Boards, shall be accompanied by a brief written report.

Role of Advocate

31. The Respondent may be assisted by an Advocate, who must be a registered, degree-seeking student at the University. The role of the Advocate is limited to:

- a. Making brief opening and closing statements;
- b. Asking relevant questions, which may be directed to witnesses;
- c. Providing confidential advice to the student; and
- d. Following a determination of responsibility, making recommendations regarding sanctions, if appropriate.

Role of Advisor

32. The Respondent may also choose to be assisted by an Advisor of their choice, including an attorney, at their own initiation and expense. The Advisor is present to provide advice and consultation to the Respondent. If necessary, the Respondent may request a recess in order to speak privately with an Advisor. The Advisor shall not be an active participant in the hearing. The Advisor may not speak for the Respondent, advise the Advocate, serve as a witness, provide evidence in the case, delay, or otherwise interfere with the University’s disciplinary process.

Role of Support Person

33. Respondents may choose to be supported by a Support Person of their choice to provide emotional and logistical support. A Support Person shall not be an active participant in the process.

34. As a general practice, disciplinary proceedings will not be delayed due to the unavailability of an Advocate, Advisor, or Support Person.

Witnesses

35. The Presiding Officer of any Board may direct a witness to appear before the Board upon the request of any Student Conduct Board member, at the request of either party, or at the request of the Board Advisor. Directives for witnesses to appear must be approved by the Director of Student Conduct. University students and employees are expected to comply unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal University activities.

36. If the Director of Student Conduct determines that a fair hearing cannot be held without the testimony of a particular witness and after good faith attempts are made to notify the witness, if the witness either fails to or refuses to appear, the hearing will be postponed until the witness agrees to appear or the charges will be dismissed.

37. Witnesses will be asked to sign an 'Honesty Statement' affirming that the information they present during the hearing will be truthful and accurate. Students who knowingly provide false information may be charged with a violation under this Code.

38. Prospective witnesses, other than the Complainant and the Respondent, may be excluded from the hearing during the testimony of other witnesses.

39. Witnesses may expect to be questioned by the Complainant, Respondent, the respective Advocates, and Board members during hearing proceedings.

40. A witness who is unable to attend the hearing, may submit a signed statement to the Office of Student Conduct prior to the hearing. Statements will not be admitted into evidence unless signed by the witness in the presence of a staff member in the Office of Student Conduct or a person designated by the Director of Student Conduct.

Sanctions

41. Students found responsible for disciplinary offenses are subject to sanctions. The aims of sanctioning are to protect the campus community, deter future offenses, promote individual accountability, and enhance ethical development. Reasonable efforts are made to educate and support students in reaching their academic and personal goals while fostering a climate of accountability and responsibility for one's actions. However, the University is not designed nor equipped to rehabilitate or incapacitate persons who pose a substantial threat to themselves or others. The following sanctions may be imposed by the Director of Student Conduct for violations of the Code:

- a. Expulsion: permanent separation of the student, student organization, or student group from the University. In the case of individual students, a permanent notation will appear on the student's transcript. The student will also be barred from University premises. (Expulsion requires administrative review and approval by the Vice President for Student Affairs and may be altered, deferred, or withheld.)
- b. Suspension: separation of the student, student organization, or student group from the University for a specified period of time. In the case of individual students, a permanent notation will appear on the student's transcript. The student shall not participate in any University-sponsored activity and may be barred from University premises during the period of suspension. Suspended time will not count against any time limits required by the Graduate School for completion of a degree. (Suspension requires administrative review and approval by the Vice President for Student Affairs and may be altered, deferred, or withheld.)
- c. Disciplinary Probation: the student is prohibited from representing the University in any extracurricular activity or from running for or holding office in any student or University organization. Additional restrictions or conditions may also be imposed.
- d. Disciplinary Reprimand: warning to the student that further misconduct may result in more severe disciplinary action.

e. Educational Sanctions: may be imposed in addition to those specified above with the intent of providing the student with learning, assistive, or growth opportunities. Alcohol or other drug education, research or reflective assignments, community service, values/ethics-based activities, or other sanctions may be assigned.

f. Other Sanctions: other sanctions may be imposed in addition to those specified above. For example, students may be subject to University housing termination for disciplinary violations which occur in the residence halls. Likewise, students may be subject to restrictions upon or denial of driving privileges for disciplinary violations involving the use or registration of motor vehicles. Students may be required to pay fines or to make payments to the University or to other persons, groups, or organizations as restitution for damages incurred as a result of a violation of this Code. Student groups or student organizations may be subject to social moratorium (prohibited from hosting, sponsoring, or attending events where alcohol is present), or other relevant restrictions and sanctions as determined by the Director of Student Conduct.

42. Repeated or aggravated violations of any section of this Code may also result in expulsion or suspension or in the imposition of lesser sanctions as deemed appropriate.

43. Any decision to impose a sanction less than suspension or expulsion for event-related misconduct must be supported by written findings signed by the Vice President for Student Affairs. A student suspended under this section shall not be admitted to any other institution in the University of Maryland System during the term of the suspension. A student expelled under this section shall not be admitted to any other institution in the System for at least one year from the effective date of the expulsion.

Appeals

44. The Respondent may appeal both a finding of responsibility and the sanction resulting from a Student Conduct Board hearing. The scope of the appeal is limited to the grounds outlined below. Mere dissatisfaction with the decision and sanction is not a valid basis for appeal.

45. An appeal must be submitted in writing within five (5) business days from the date of the letter providing notice of the outcome. At the discretion of the Director of Student Conduct, extensions may be granted with written permission in extenuating circumstances. If an appeal is received by the Office of Student Conduct, the Campus Advocate will be notified and given an opportunity to respond. Responses shall be submitted directly to the Office of Student Conduct.

46. Appeals of decisions resulting in suspension or expulsion will be decided by the University Senate Student Conduct Committee Appellate Body, which is comprised of three members from the Student Conduct Committee including at least one student. Appeals of decisions resulting in sanctions other than suspension or expulsion will be decided by the Appellate Board, which is a branch of the University Student Judiciary and is comprised of students.

47. If the Respondent does not submit an appeal, the decision and sanction are final after five (5) business days from the date of the letter providing notice of the outcome. Appeals submitted after five (5) business days shall be denied. The Director of Student Conduct has the discretion to defer the imposition of sanctions pending any appeal.

48. Grounds for an appeal shall be limited to:

a. Substantial Procedural Error

Procedural errors or errors in interpretation of University policy that were so substantial as to effectively deny a Respondent notice or a fair opportunity to be heard. Deviations from procedures that were not so substantial as to deny a Respondent notice or a fair opportunity to be heard will not be a basis for granting an appeal.

b. Disproportionate Sanction

The sanction is substantially disproportionate to the offense, which means it is far in excess of what is reasonable given the facts or the circumstances of the violation.

c. Arbitrary and Capricious

An arbitrary and capricious decision is a decision without a rational basis or that is not supported by any evidence in the case.

d. New Evidence

New and significant relevant information has become available which a reasonably diligent person could not have discovered before or during the original hearing. When the basis of the appeal is new evidence, the appellate body will determine whether the information is new and was unavailable at the time of the hearing. If the appellate body determines that the information is not new and was available at the time, the appeal will be denied. If the information is determined to be new and unavailable at the time of the hearing, the appellate body will consider whether the new information could have changed the outcome of the original hearing. If it is determined that the outcome could have been impacted by the new evidence, the case will be sent back to the original hearing board for further review.

49. Appeals are not intended to allow for a second review of the facts of the case and determination of whether there was a violation. A review of the matter will be prompt and narrowly tailored to the stated grounds for appeal. In most cases, appeals are confined to a review of the written record and the relevant documentation regarding the grounds for appeal. In all cases, deference shall be given to the determinations of the lower board.

50. The appellate body will consider the appeal and may:

- a. Affirm the Decision and the sanction imposed;
- b. Affirm the Decision and reduce, but not eliminate, the sanction;
- c. Remand the case to a new hearing board, if there were procedural or interpretation errors;
- d. Remand the case to the original hearing board in accordance with procedures outlined under “New Evidence”; or
- e. Dismiss the case if the decision is determined to be arbitrary and capricious.

51. Decisions of the Appellate Board shall be recommendations to the Director of Student Conduct. Decisions of the Senate Student Conduct Committee Appellate Body shall be recommendations to the Vice President for Student Affairs. Decisions altering the determinations of all hearing boards and the Senate Student Conduct Committee Appellate Body shall be accompanied by a brief written opinion.

Disciplinary Records

52. Students, student groups, and student organizations found responsible for violations of this Code will have a disciplinary record. Disciplinary records are maintained by the Office of Student Conduct for a period of three (3) years from the date of the letter providing notice of final disciplinary action. Disciplinary records may be retained for longer periods of time or permanently, if specified in the sanction. Disciplinary records of students, student groups, or student organizations with a sanction of suspension or expulsion will be retained permanently unless otherwise specified.


53. Students may petition the Office of Student Conduct to void their disciplinary record early, for good cause. Factors to be considered in review of such petitions shall include:

- a. the present demeanor of the Respondent;
- b. the conduct of the Respondent subsequent to the violation; and
- c. the nature of the violation and the severity of any damage, injury, or harm resulting from it.

54. Denials of petitions to void disciplinary records can be appealed to the Senate Student Conduct Committee Appellate Body, which will consider the appeal using the grounds for appeal outlined in Part 48.c. Such an appeal must be submitted in writing within five (5) business days from the date of the letter providing notice of the original decision. Disciplinary records retained for less than 90 days or designated as “permanent” shall not be voided without unusual and compelling justification.

13 D

Third Quarter Strategic Plan Update

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|  | <p style="text-align: center;">CITY OF COLLEGE PARK, MARYLAND DISCUSSION / PRESENTATION COVER REPORT</p> <p>Prepared By: Bill Gardiner Assistant City Manager Michelle Rodriguez HR Generalist</p> <p>Meeting Date: 4/25/2023</p> <p>Presented By: Bill Gardiner</p> <p>Proposed Consent: N/A</p> |
| <p>Originating Department: Administration</p> | |
| <p>Topic: Third Quarter FY23 Strategic Plan Update</p> | |
| <p>Strategic Plan Objective: Innovate and improve City services to enhance quality, value, and accessibility for all our residents.</p> | |
| <p>Background: The strategic plan Objectives and Key Results follow the fiscal year that begins on July 1. The City Council approved the priority five-year Objectives for FY23, and staff created the second year annual Objectives. Each department creates quarterly Objectives and Key Results (OKRs) to advance the City toward accomplishing the annual Objectives and ultimately the five-year Objectives. The attachment lists and provides a status summary of the 27 OKRs for the third quarter created by staff. Highlights of accomplishments include completion and posting of the 2022 Community Survey; presentation of the draft FY24 budget reflecting City priorities; HR training on Tyler software (finance and HR processes); Council approval of retrofit program guidelines for aging in place; full Accela implementation and transition from 3rd party support in DPS; procurement of electric vehicles and infrastructure upgrades in DPW; and YFS progress in improving the quality of space for programs.</p> <p>The meeting presentation will review these OKRs and identify successes and challenges during this quarter. Additionally, it will include a summary of the City's performance on certain 2022 community survey questions that are measures of success for the City's five-year Objectives.</p> | |
| <p>Fiscal Impact: The FY23 budget reflects the implementation cost of the initiatives in the strategic plan.</p> | |
| <p>Council Options: This is a presentation and discussion only. Council questions and follow-up requests are encouraged.</p> | |
| <p>Staff Recommendation: N/A</p> | |
| <p>Attachments: 1. 3rd Quarter FY23 Objectives Summary</p> | |

Explorer

Bulk Actions | 

[New objective](#)

Objectives for City of College Park

Generated on Apr 21st 2023 by Bill Gardiner

2 filters active

Due Date **Last Quarter**

Objective Type **Department Objectives**

27 objectives found



🕒 27 ● 20 (74.07%) ● 3 (11.11%)

☐ [Select all](#)

Administration

4

🕒 4 ● 3 (75%) ● 0 (0%)



☐   **Tabulate and provide to residents and staff the resident survey results.** ●

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 11 days ago by [Bill Gardiner](#)

CLOSED  **Administration**

Analyze Community Survey Results

Present Results to Council

☐   **Create exciting and inclusive events for City residents to enjoy in all parts of the City.** ●



Due March 30, 2023 • [Aligned to parent](#) • Last check-in 11 days ago by [Bill Gardiner](#)

CLOSED  **Administration**

Finalize City parade event.

Confirm City program for the 4th of July.



Present to Council options for changes to the Rec Board structure and purpose.

> ☐   **All IT staff enhance their skills in specific areas to improve their expertise in IT systems that support staff.** ●

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 11 days ago by [Bill Gardiner](#)

CLOSED  **Administration**

Create a City profile for IT department with Udemy

☐   **Fully onboard new employee to increase efficiency within the city clerk's office. (Kit)** ●

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 16 hours ago by [Yvette Allen](#)

CLOSED  **Administration**

New employee will shadow Clerk's Office staff to learn office responsibilities and procedures.

Implement and train new employee on task list.

Develop the training plan for the new employee.

**Preparation of FY2024 Proposed Budget & CIP that reflects Strategic Plan priorities and expected City services.**

100%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 18 days ago by [Gary Fields](#)

CLOSED Finance

- 100% Prep & distribute budget and CIP worksheets to Directors
- ✓ COMPLETE Post Balancing Act "Prioritize" survey of major initiatives
- 100% Schedule and hold Dept. Budget Request meetings with City Manager and Directors
- 100% Other work to meet deadline of March 10, 2023 for distribution/publication of the FY2024 Proposed Budget document
- 100% Prepare for and hold M&C Budget Worksession on March 25, 2023

**Continue implementation of Tyler Munis financial & HR software**

89.16%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 18 days ago by [Gary Fields](#)

CLOSED Finance

- 11/12 Bi-weekly update meetings with Tyler Project Manager
- 100% Provide information/ data requests as scheduled to Tyler, in accordance with established milestones
- 18/20 Attend scheduled systems analysis, configuration and training sessions with Tyler reps
- 75% Working towards targeted Financials/General Ledger Systems Go-Live date of April 3, 2023

**Administer and account for City's ARPA allocation to benefit the City and its residents and small businesses.**

58.26%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 16 hours ago by [Bill Gardiner](#)

CLOSED Finance

- \$35K/\$50K Continue distributing grant funds to eligible families and individuals
- \$120K/\$2.5M Distribute grant funds to eligible local businesses, including hospitality grants (Economic Develop.)
- 1/1 File required quarterly ARPA reports with US Treasury

**Continue the increasing of employee engagement by providing events and other incentives**

98.75%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 20 days ago by [Teresa Way-Pezzuti](#)

CLOSED Human Resources

- 6/6 Provide wellness incentives for participation in wellness activities (Could include exercise programs and/or attending lunch and learns)
- 3/3 Promote 3 leadership events this quarter
- 1/1 Conduct several luncheons with the City Managers and 25 employees to engage in conversation - luncheons will be held quarterly

**Assist with implementaion of Tyler Software (Munis) for HR Software, to facilitate and streamline all HR processes, and payroll documentation**

78.91%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 20 days ago by [Teresa Way-Pezzuti](#)

CLOSED Human Resources

- 50% All staff receive paystubs electronically (including DPW)
- 10/10 Direct Deposit forms for employees updated (10 employees to update direct deposit forms)
- 100% Create newsletter for this quarter by the end of March (50% gather information, 50% submit newsletter)

☐

Re-enforce the conversation on Racial Equity in and outside the organization by educating employees and communicating in a variety of different avenues.

33.33%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 20 days ago by [Teresa Way-Pezzuti](#)

CLOSED

Human Resources

0/3

Start the crucial conversation book club again - one session per month

12/12

REO continues to support RJC by attending subcommittee meetings with Commissioners - 4 per month

0/3

Racial Equity Committee to meet once a month to discuss ways to create a Racial Equity Plan or Assessment

Planning & Community Development

4

🕒 4

🟢 3 (75%)

🔴 1 (25%)

56.25%

☐

Implement a rehabilitation/retrofit program to better enable seniors to age in place.

95%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 24 days ago by [Terry Schum](#)

CLOSED

Planning & Community Development

100%

Finalize program guidelines and MOU for review and approval by City Council.

90%

Execute an Agreement with Habitat for Humanity MD for administration of program.

☐

Research housing development options for city-owned property at 4704 Calvert Road.

50%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 24 days ago by [Terry Schum](#)

CLOSED

Planning & Community Development

3/3

Review draft land use options from consultant.

0/3

Hold staff, community and Council meetings to report study results.

☐

Obtain community input on the Age-Friendly Action Plan and bring forward for City Council adoption. .

50%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 24 days ago by [Terry Schum](#)

CLOSED

Planning & Community Development

100%

Gather comments on report from outreach efforts.

0%

Present revised report to City Council for adoption.

50%

Update draft plan with input from Seniors Committee.

☐

Increase new bike/scooter share parking locations to facilitate convenient use of the system throughout the city.

30%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 24 days ago by [Terry Schum](#)

CLOSED

Planning & Community Development

90%

Finalize scope of work and cost estimates and submit to State agency for review.

0%

Submit informational report to City Council and obtain feedback.

0%

Solicit contractor proposals and award contract.

Public Services

3

🕒 3

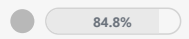
🟢 0 (0%)

🔴 0 (0%)

51.79%



Continue Implementation and Staff Training of Accela CRM and other modules to ensure high customer service standards for all.



Due March 30, 2023 • [Aligned to parent](#) • Last check-in 18 days ago by [Bob Ryan](#)

CLOSED [Public Services](#)

- 100%

 Consolidate CRM categories & remove vehicle and signs CRM from code enforcement
- 99%

 Close out existing Vision 33 & Accela work orders that have been submitted by City as of 1 Jan. 2023
- 100%

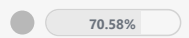
 Update & configure CRM Automatic Notices from Back Office
- 25%

 Implement field use of mobile app & tablet/mobile phone by CEO
- 5/5

 Identify and implement automated licensing processes



Continue to support the City's mission, core values, and strategic plan by increasing the engagement of all Public Services staff.



Due March 30, 2023 • [Aligned to parent](#) • Last check-in 18 days ago by [Bob Ryan](#)

CLOSED [Public Services](#)

- 23/17

 All DPS employees have reviewed and understand the Core Values list quarterly.
- 4/12

 Recognize at least two employees bi-weekly on paycor platform
- 1/2

 Nominate a staff member for Employee of the Quarter
- 99%

 All phone calls and email inquiries are answered within 1 business day



Recruit and retain a diverse group of contract police officers to enhance positive interaction with the community.



Due March 30, 2023 • [Aligned to parent](#) • Last check-in 25 days ago by [Bob Ryan](#)

[Public Services](#)

- 0%

 Replacement officers reflect the City's census diversity demographics
- 0%

 Officers scheduled time reflects the diversity of the City's census demographics

Public Works

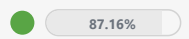
4

🕒 4 ● 4 (100%) ● 0 (0%)

61.03%



Promote the use and acquisition of city vehicles efficiently to reduce carbon footprint, and reduce the impact on the environment.



Due March 30, 2023 • [Aligned to parent](#) • Last check-in 18 days ago by [Robert Marsili](#)

CLOSED [Public Works](#)

- 60%

 Install electrical upgrade for EV infrastructure at DPW.
- 2/2

 Procure and order of additional electric vehicles in city .
- 11/12

 Reduce by 1% of the total gallons of gasoline and diesel used weekly by the City fleet
- 97%

 Maintain all city vehicle Preventive maintenance PMs completed on time



Reduce the amount of solid waste collected and increase recycling by educating residents and implementing City policies. Creating awareness on Solid Waste

73.33%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 18 days ago by [Robert Marsili](#)

CLOSED [Public Works](#)

- 48/25 Reduce by 25 tons household and bulk refuse collected by the City
- 0/7 Increase by 7 tons of curbside and miscellaneous recycling collected by City
- 100% Increase Food Scrap Resident Participation 25
- 5/5 Track tonnage of Food Scrap Collected



Improve the walkability and safety of the City to encourage a more healthy and sustainable environment

42%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 18 days ago by [Robert Marsili](#)

CLOSED [Public Works](#)

- 20% Calvert Road Storm Water Attenuation Project
- 0/3 Identify new e-bike parking locations to facilitate use of system
- 3/3 Identify additional Bus Shelter locations
- 25% Hollywood Road sidewalk
- 65% Edmondson Road sidewalk Construction



Encourage staff to continue working on the strategic plan

41.66%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 18 days ago by [Robert Marsili](#)

CLOSED [Public Works](#)

- 4/6 Meet Bi-Weekly with staff to update OKRs
- 1/6 Give recognition to staff on 7-Geese

Youth, Family & Senior Services 4

🕒 4 3 (75%) 1 (25%) 72.36%



All staff reporting to department managers will be familiar with the one year OKR's to support and contribute to the City's mission, vision and strategic plan.

100%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 17 days ago by [Kiaisha Barber](#)

CLOSED [Youth, Family & Senior Services](#)

- 10/10 Dept. Head and Managers will solicit suggestions for staff recognitions in Paycor
- 8/8 Managers will receive input from each team member when creating and checking in on child objectives.



Create an inviting, functional, innovative and attractive trauma-informed space for youth, families and seniors programs.

100%

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 17 days ago by [Kiaisha Barber](#)

CLOSED [Youth, Family & Senior Services](#)

- 100% One estimate for external and internal renovations obtained
- 100% Survey of YFS is completed to determine eligibilty for community grant to improve outdoor space.
- 100% Senior Services secures space to expand weekly social activities to twice weekly.

- >

☐

Increase educational opportunities for CP school aged youth

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 17 days ago by [Kiaisha Barber](#)

CLOSED Youth, Family & Senior Services

90%

Recommendation for support staff in FY24 proposed budget for online tutoring program.

90%

EAC develops/recommends PTA support/incentive program and presented to Council.
- >

☐

Provide a fully staffed City department to implement City's goals to engage populations in the City appropriately

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 17 days ago by [Kiaisha Barber](#)

CLOSED Youth, Family & Senior Services

20%

One new family therapist is hired and trained. (wider recruitment-interview- hired)

5%

One new clincial support staff person for Hispanic Parent group is secured (wider recruitment-interview- hired)

No Departments **2**

🕒 2 ● 2 (100%) ● 0 (0%) **100%**

- ☐

Create 5 Year Economic Development Strategy

Due March 30, 2023 • [Aligned to parent](#) • Last check-in 7 days ago by [Michael Williams](#)

CLOSED

100%

Host Economic Development Visioning Workshop
- ☐

Financial Disclosure Statements: Update FDS to comply with the State's Public Ethics Law in regards to HB0363 and HB1058.

Due March 30, 2023 • Last check-in 16 hours ago by [Bill Gardiner](#)

CLOSED

✓ COMPLETE

Update FDS forms and provide to all officials as required by law.

14

Future Agenda



TO: Mayor, City Council, City Manager and Department Directors

FROM: Janeen S. Miller, City Clerk

DATE: April 21, 2023

RE: Future Agendas

The following items are tentatively placed on future agendas. This list has been prepared by the City Manager and me and represents the current schedule for items that will appear on future agendas.

Tuesday, May 2, 2023

Presentation of Ceremonial Checks to Public Schools

Lakeland S.T.A.R.s yearly recap

Action Items:

02-21-23: Resolution establishing the City's Bicycle Pedestrian Infrastructure Committee

02-21-23: Resolution establishing the City Events Advisory Board and companion Ordinance removing the Recreation Board from the City Code

Approval of EAC recommended PTA/PTO incentive program – Kiaisha Barber, Director of Youth, Family and Senior Services

Approval of City-Wide Tutoring Program with Imagine Learning - Kiaisha Barber, Director of Youth, Family and Senior Services

Discussion / Presentation Items:

Tuesday, May 9, 2023

Public Hearing:

Ordinance 23-O-03 - FY '24 Budget Ordinance

Action Items:

Approve a 4-hour parking limit in a specified area of Branchville Road, and approval of traffic calming measures near the VFW located at 5051 Branchville Road – Jim Miller, Parking Enforcement Manager, and Steve Halpern, City Engineer

Discussion / Presentation Items:

09-20-22: Discussion of lowering the speed limit (currently 35 mph) on Rhode Island Avenue (Traffic Study is not needed) – Steve Halpern, City Engineer and Suellen Ferguson, City Attorney

Tuesday, May 16, 2023

Action Items:

01-31-23: Consideration of a Commemorative Bench request – Robert Marsili, Director of Public Works

Discussion / Presentation Items:

01-31-23: Consideration of a letter to M-NCPPC Parks and Recreation copying the County Council regarding the mandatory dedication of parkland

03-28-23: Discussion of DSP-22024, Discovery Point, located at the southeast quadrant of Baltimore Avenue and Campus Drive – Miriam Bader, Director of Planning

Tuesday, May 23, 2023

Presentation:

Presentation from Len Lucchi and Stephanie Anderson on the 2023 legislative session

Action Items:

Adoption of Ordinance 23-O-03, FY '24 Budget Ordinance

Consideration of City recommendations for DSP-22024, Discovery Point, located at the southeast quadrant of Baltimore Avenue and Campus Drive – Miriam Bader, Director of Planning

Discussion / Presentation Items:

Discussion of additional roadway connectivity between City neighborhoods - AND – Find options to reduce traffic on our major roadways (include Complete Streets) (40); Steve Halpern, City Engineer; Robert Marsili, Director of Public Works

Discussion of closing the alley between 49th Ave and Blackfoot Road to drive through vehicles – Bob Ryan, Director of Public Services (20)

Tuesday, June 6, 2023

Discussion of the City's Revitalization Tax Credit Program (45) – Michael Williams, Economic Development Manager

ANNUAL ITEMS

January, early: Discussion of Homestead Tax Credit Rate (currently at 0%) (must certify by March 25 to change rate)

January, after an election: Review and adoption of Council Rules and Procedures

January: Review annual reports and workplans from advisory boards

March: Annual Review/Renewal of Insurance Contracts

March: Annual Economic Development Report

April and September: Comments on the M-NCPPC budget

June: Review of applications for advisory board vacancies and annual appointments

Early Fall: Annual presentation from SHA on projects in the City (schedule prior to CTP discussion)

Fall: Annual police agency presentation

MASTER LIST

2023 Quarterly Financial Presentations: ~~January 24, 2023; April 25, 2023;~~ August 1, 2023; October 24, 2023.

2023 Appointments to fill advisory board vacancies: ~~January and~~ June 2023

2023 Four Cities Meetings: ~~January 26 – College Park; April 27 – Greenbelt;~~ July 27 – Berwyn Heights; October 26 – New Carrollton.

~~Review of proposal for a pilot program for a rebate to homeowners for installation of residential security camera systems – Bob Ryan, Director of Public Services (20) STAFF RECOMMENDS REMOVAL AND PROVIDED PRIOR INFORMATION TO COUNCIL ON 01-20-23.~~

04-05-22: Discussion of the Council Subcommittee proposal

07-05-22: Affordable Housing Study — MARCH OR DURING COUNCIL RETREAT

09-13-22: Follow up discussion on options for protected bike lanes on Rhode Island Avenue

01-04-22: Discuss possible expansion of the Homeowner's Property Tax Credit to allow for an ITOC (Income Tax Offset Credit) – Gary Fields, Director of Finance and Kenneth Young, City Manager - March 25 budget Worksession

Discussion of expansion plans for the Junior Tennis Champion Center in the Discovery District

02-01-23: Approval of revisions to the Mayor and Council's Rules and Procedures

Review and consideration of the St. Andrews Church parking agreement – Bob Ryan, Director of Public Services and Jim Miller, Parking Enforcement Manager

(Proposed Consent): Approval of an MOU for UMD live monitoring of City security cameras – Bob Ryan, Director of Public Services

04-18-23: Consider an increase in grant value for the City of College Park New Neighbors Homeownership Grant Program for qualified law enforcement personnel.

| City of College Park Annual Proclamation List for 2023 (Proclamations Approved 08/10/2021 21-R-15) | | |
|--|-------------------|---|
| | 2023 Dates | |
| January | 10 | Martin Luther King, Jr. |
| February | 14 | Black History Month |
| February | 14 | Women's Heart Health Month |
| February | 28 | Women's History Month (March 1) |
| April | 18 | Arbor Day (April 28) |
| April | 18 | Children's Mental Health Week (May 1-7) |
| May | 16 | Kids To Parks Day (May 20) |
| May | 16 | Bike To Work Day (May 19) |
| May | 23 | Chesapeake Bay Awareness Week (June 4-12) |
| May | 16 | Volunteer Appreciation Month (the date may shift to coincide with the City's annual appreciation event) |
| June | 6 | Immigrant Heritage Month |
| June | 6 | Juneteenth |
| June | 6 | LGBTQ Pride Month |
| June | 13 | Pollinator Week (for 3 rd full week in June) |
| September | 12 | Suicide Prevention Month |
| September | 12 | Hispanic Heritage Month (Sept. 15 through Oct. 15) |
| September | 26 | Mayor's Monarch Pledge proclamation (end of September for the 1st Saturday in October) |
| October | 3 | Indigenous Peoples' Day |
| October | | Business of the Year recipient |
| November | 8 | Municipal Government Works Month (MML Banner City requirement) |
| November | 14 | Small Business Saturday |